United Nations S/2016/466

Security Council

Distr.: General
23 May 2016

Original: English

Letter dated 23 May 2016 from the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council

The members of the Group of Experts on the Democratic Republic of the Congo extended pursuant to Security Council resolution 2198 (2015) have the honour to transmit herewith, in accordance with paragraph 7 of Security Council resolution 2198 (2015), the final report on their work.

The report was provided to the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo on 3 May 2016 and was considered by the Committee on 13 May 2016.

The Group would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

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extended pursuant to resolution 2198 (2015)

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Final report of the Group of Experts on the Democratic Republic of the Congo

Summary

While 2015 saw the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo — FARDC) in continuous military operations against both foreign and local armed groups in eastern Democratic Republic of the Congo, these groups continue to control territory and profit from natural resources. There was no large-scale rebellion against the Government, and many armed groups fragmented and decreased in troop strength, but the level of security for civilians in the eastern part of the country did not improve significantly. The Group of Experts on the Democratic Republic of the Congo notes that the Government and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) signed a memorandum of understanding in February 2016 allowing for the resumption of collaboration between MONUSCO and FARDC.

Foreign armed groups from Burundi, Rwanda and Uganda continued to operate in eastern Democratic Republic of the Congo. The Forces démocratiques de libération du Rwanda remain the largest armed group in the country, although seriously destabilized by operations carried out by FARDC and Mai Mai groups in 2015.

The Forces nationales de libération and the Front national burundais Tabara are smaller in number, but were some of the few armed groups that increased in size and strength in 2015 owing to the political situation in Burundi and to outside support. Their destabilizing effects on the country were minimal, however, because their operational objectives remained in their home country of Burundi.

The Allied Democratic Forces fractured into smaller groups, operating without a central chain of command. Some of the groups were involved in attacks on FARDC and the civilian population in Beni territory, including some of the killings. The Group found, however, that local militias and small bands of Kinyarwanda speakers were also involved, in some cases with support from particular FARDC officers.

The Lord's Resistance Army was active primarily in the Central African Republic and South Sudan, but operated in the Democratic Republic of the Congo for the purpose of poaching elephants and trafficking ivory and continued to commit human rights abuses against civilians.

Many Congolese armed elements were involved in criminal networks and banditry rather than structured armed groups, which caused similar levels of insecurity, but is more difficult to combat with traditional military operations. The number of ex-combatants involved in armed criminal activities, such as kidnapping for ransom, demonstrates the necessity of improving demobilization and reintegration efforts.

With regard to natural resources, the Group focused its investigations primarily on gold, which provides the most significant financial benefit to armed groups. The Group found that some FARDC elements were extensively involved in the illegal exploitation of natural resources, especially through the taxation of miners. Armed

groups also continue to generate significant revenue from the control, taxation or looting of natural resources, especially gold, but also tin, tantalum, tungsten, charcoal and timber.

One particular area of concern is the lack of a functioning traceability system for gold. Gold from non-validated mining sites, and therefore possibly benefiting armed groups, is laundered into the legitimate supply chain and, subsequently, into the international market. Exporters based in the Democratic Republic of the Congo regularly buy gold without knowing its actual origin and some exporters significantly underdeclare the volumes exported, with discrepancies of at least $174 million in 2015. While the Group welcomes positive steps by the authorities of the United Arab Emirates to interdict potential conflict gold smuggled from the Democratic Republic of the Congo, some loopholes for traffickers remain.

Armed groups had fewer opportunities to benefit from illegal involvement in the tin, tantalum and tungsten sector, as due diligence and traceability systems expanded to more mining sites. Challenges remain, however, including the continued involvement of some FARDC elements, the corruption of government officials and the smuggling and leakage of minerals from non-validated mining sites into the legitimate supply chain.

The Group notes that violations of international humanitarian law continue unabated. Armed groups were still using children in 2015 and early in 2016, and mass killings were carried out by a range of armed elements in both southern Lubero and Beni territory in North Kivu province.

In its continued monitoring of the arms embargo, the Group found that some Member States had exported materiel to the Democratic Republic of the Congo without notifying the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo. In addition, while the Government of the Democratic Republic of the Congo began implementing measures to mark the weaponry of its armed forces and prosecute those who illegally traffic materiel, the Group found that armed groups continued to benefit from leakage from government stocks.

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Annexes*

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* The annexes are being circulated in the language of submission only and without formal editing.

I. Introduction

1. Pursuant to paragraph 7 of Security Council resolution 2198 (2015), the Group of Experts on the Democratic Republic of the Congo hereby submits its final report to the Security Council, after discussion with the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo.

2. In accordance with the request made by the Security Council in paragraph 9 of resolution 2198 (2015), the Group exchanged information with the Group of Experts on Côte d'Ivoire and with the panels of experts on the Central African Republic, the Democratic People's Republic of Korea and the Sudan.

Cooperation

3. The Group notes with appreciation the support and collaboration of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) during the period under review. The Group also received excellent cooperation from the Governments of Belgium and the United Arab Emirates, which hosted visits of the Group and followed up on the issues raised during the meetings. The Group received little official collaboration from the Governments of the United Republic of Tanzania and Uganda in gaining access to evidence relating to the arrest of the Allied Democratic Forces (ADF) leader and sanctioned individual, Jamil Mukulu.

Methodology

4. The Group used the evidentiary standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions (see S/2006/997, annex). The Group based its findings on documents and, wherever possible, on first-hand, on-site observations by the experts themselves. When this was not possible, the Group corroborated information by using at least three independent and reliable sources.

5. Given the nature of the conflict in the Democratic Republic of the Congo, there are few documents that provide definitive proof of arms transfers, recruitment, command responsibility for grave human rights abuses and the illegal exploitation of natural resources. The Group therefore relied on eyewitness testimony from members of local communities, ex-combatants and current members of armed groups. The Group also considered the expert testimony of government officials and military officers from the Great Lakes region and United Nations sources. During its mandate, the Group addressed 74 official communications to Member States, international organizations and private entities, receiving various levels of compliance with its requests (see annex 1). The present report covers investigations up to 15 April 2016.

II. Foreign armed groups

A. Forces démocratiques de libération du Rwanda

6. The Forces démocratiques de libération du Rwanda (FDLR)[1] was seriously destabilized by military operations undertaken simultaneously by the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo — FARDC) and two Congolese Mai Mai groups in 2015 and 2016. Those actions accentuated internal rifts, undermined the command and control capacities of the FDLR leadership and disrupted income generation. Since FDLR has not yet been completely defeated, however, the Group believes that the group still has the potential to regroup and re-establish itself as a significant destabilizing force in eastern Democratic Republic of the Congo, especially given that the vast majority of its senior officers remain at large.

7. The number of FDLR troops still operational in eastern Democratic Republic of the Congo is a point of contention, given that recruitment, desertions and captures occur on a weekly basis. FDLR strategies of blending into the civilian population and deploying significant numbers of troops for "non-conventional logistics" also complicate the issue.[2] On 23 March 2016, the Minister for Foreign Affairs of the Democratic Republic of the Congo informed the Security Council that only 108 FDLR operative elements remained, although estimates by FARDC intelligence officers ranged from 500 to 1,500. Furthermore, the Government of Rwanda told the Group that there were 2,905 operative elements early in 2016. On the basis of FDLR internal documents and the testimony of FDLR combatants, the Group estimates its troop strength at between 1,400 and 1,600, nevertheless making it the largest armed group in the country, although only a fraction of its former size. In addition, there are self-demobilized FDLR combatants who could be remobilized if necessary (see annex 2), and other allied armed groups act as force multipliers during joint operations (see annex 3).

8. Five FDLR officers in North Kivu, including two senior leaders, told the Group that sanctioned individual "Lieutenant General" Sylvestre Mudacumura (also known as Pharaoh Bernard Mupenzi) was no longer the military commander of FDLR (see annex 4). They gave varying reasons for the change and did not announce who would replace him. Three FDLR officers in South Kivu told the Group, however, that they still considered him to be their commander-in-charge.

9. In addition to speaking with more than 150 active and former combatants during its mandate, the Group visited areas under the control of FDLR and recovered documents, photos and other effects left in positions that they had abandoned owing to military operations against them (see annexes 5 and 6). Those documents helped to shed light on the armed group's organization, income streams, recruitment and internal dynamics.

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[1] Unless specified otherwise, "FDLR" in the present report refers to FDLR FOCA (Forces combattantes Abacunguzi).

[2] This refers to the practice of deploying combatants for business-related activities.

Sukola II operations

10. While largely inactive in South Kivu province, FARDC Sukola II military operations against FDLR continued and increased in intensity in North Kivu in the second half of 2015. The most significant gains came early in December 2015, when FARDC succeeded in capturing FDLR military headquarters on Rushihe hill in eastern Walikale territory, along with the nearby Canaan subsector headquarters in Mumo and the Comet reserve subsector headquarters near Ihula (see annex 7).

11. FDLR sustained additional losses following attacks by two Mai Mai groups (see para. 76). In late November 2015, the two groups worked together to push FDLR south from their positions on the border region between the territories of Walikale and Lubero in North Kivu province, including in Lusamambo, Bukumbirwa, Buleusa, Kimaka, Kanune and Kateku (see annex 8). Lusamambo was the location of the FDLR political leadership, including the FDLR interim president and sanctioned individual "Major General" Gaston Iyamuremye (also known as Victor Byiringiro and Rumuli), who was forced south across the Luhulu River into Rutshuru territory. As of early 2016, FDLR was mostly concentrated in western Rutshuru territory in North Kivu and in the Hewa Bora forest in South Kivu (see annex 9).

12. FARDC told the Group that, as of 12 March 2016, they had killed 68 and captured 405 FDLR combatants since the beginning of the operations in January 2015 (see annex 10). MONUSCO reported receiving an additional 733 FDLR elements who had surrendered during the same period.[3] While FARDC did not capture or kill any senior FDLR officers during the operations, two colonels and one lieutenant colonel surrendered to MONUSCO and allowed themselves to be repatriated to Rwanda, including the former Comet subsector deputy commander, "Colonel" Augustin Nsengimana. The Group believes that the military operations were a major factor in their decision to surrender.

13. Already in early 2014, FDLR leaders had recognized the possibility of FARDC and MONUSCO operations against them and took measures accordingly. Written operational orders show that the plan of FDLR was to carry out guerrilla warfare against FARDC in order to demoralize the soldiers and recoup materiel (see annex 11) and to protect FDLR commanders and the Rwandan refugee population (see annex 12). Units were told to resist attacks only long enough to allow refugees to escape. If necessary, combatants were to disguise themselves as civilians and blend in with the local population.

14. New efforts by the National Refugee Commission to register Rwandan refugees in South Kivu led to some FDLR combatants obtaining refugee documents (see annex 13). Rwandan refugees in eastern Democratic Republic of the Congo are often in close proximity to FDLR bases and are difficult to differentiate from combatants. That certain combatants can now claim to be officially recognized as refugees makes it even more problematic for the Congolese security services to capture them.[4]

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[3] FARDC reported turning over 73 children to MONUSCO from the 405 whom they had captured. Those 73 children would also be counted in the figures from MONUSCO. The total would subsequently be 68 killed and 1,065 captured or surrendered (405 + 733 – 73).

[4] The majority of FDLR ex-combatants with refugee documents told the Group that they had received them during National Refugee Commission registrations in Lumbumba in December 2015 and Deux Maisons in January 2016, both in the sector of Itombwe in eastern Mwenga territory.

15. Although FARDC carried out Sukola II operations on its own throughout 2015, the Government and MONUSCO signed a memorandum of understanding in February 2016 allowing for the resumption of United Nations support for FARDC operations against FDLR. Doing so has the potential to diminish some of the challenges that have reduced the effectiveness of FARDC (see S/2015/797, para. 28), although this cooperation had not begun as of May 2016.

Recruitment

16. FDLR continued to recruit in 2015 and 2016. Internal documents show that the recruitment occurred both in the Democratic Republic of the Congo and abroad, but that FDLR struggled to compensate for losses owing to desertion to the MONUSCO demobilization programme and capture by FARDC. The Group recovered a written presentation by an FDLR subsector commander to the high command on the state of his units, complaining about the loss of combatants to the voluntary disarmament process (see S/2015/797, paras. 23-25) and the difficulty in even finding willing recruits among the Rwandan refugee population (see annex 14). Of the 101 troops whom they had recently trained, most were Rwandan refugees, but 37 were Congolese. The same commander's notes show that they also received recruits from abroad. He wrote that some of them had been recruited by "SEA" (likely deputy executive secretary) and "La Forge Fils" (Ignace Nkaka, FDLR spokesperson).

17. The FDLR policy of pursuing deserters and "re-educating" them continued into early 2016. While an improvement on the previous practice of executing deserters, this policy still assumed that deserters would be pursued and impeded from entering the demobilization process, which is a violation of paragraph 5 (b) of the sanctions regime.

18. The Child Protection Section of MONUSCO told the Group that FDLR was the biggest recruiter of children in armed conflict. The Section separated 2,055 children in 2015, 891 of whom reported that they had been with FDLR.

Activities in the United Republic of Tanzania

19. As previously reported by the Group (see S/2011/738, para. 78), FDLR no longer has well-established liaison antennas that can operate freely outside the Democratic Republic of the Congo for channelling money, arranging contacts and representing FDLR in those areas. An FDLR Colonel told the Group that this was still true in early 2016, but that the Group did have individuals in Africa and Western Europe who performed similar functions.

20. Unsanctioned FDLR political and military leaders continued to travel to the United Republic of Tanzania. In addition to those mentioned in a previous report of the Group (see S/2015/19, para. 61), it was confirmed in an FDLR internal memorandum that the FDLR Second Vice-President, "Colonel" Laurent Ndagijimana (also known as Wilson Irategeka), was in the United Republic of Tanzania in 2015. FDLR leadership also confirmed that FDLR "Colonel" Bonheur Lukanga was in the United Republic of Tanzania as of early March 2016. The Group requested information about Mr. Ndagijimana's travel to the Government of the United Republic of Tanzania in a June 2015 letter, but has not yet received a response.

21. The Group previously reported on a Rwandan national living in Dar es Salaam, United Republic of Tanzania, receiving funds from Rwandan opposition figures and using a false name, Hamisi Hasani Kajembe, to transfer money to a person whom the Group believes to be the wife of FDLR South Kivu Commander "Colonel" Hamada Habimana (see S/2015/19, para. 63). The Group received copies of documents that showed the individual's real name to be Robert Kayembe. Three FDLR officers told the Group that Mr. Kayembe had worked in the United Republic of Tanzania on behalf of sanctioned individual, the FDLR interim president, Gaston Iyamuremye. During its present mandate, the Group documented cash transfers from five individuals in Belgium, the Congo, France and Mozambique to Mr. Kayembe for over $40,000 (see annex 15). One of those individuals also transferred money to "Colonel" Hamada's wife and exchanged regular telephone calls with an FDLR leader in North Kivu. The Group could not confirm, however, whether the money from each of those transfers had been received specifically for the use of FDLR.

22. The Group requested an official visit with the Tanzanian authorities to discuss the investigation. The Government instead offered to respond to questions in writing. While the Government responded to one of the Group's letters, it has not yet responded to the questions relating to FDLR activities.

Income generation

23. In 2015, the majority of FDLR income was generated in areas under its control in eastern Democratic Republic of the Congo rather than from external networks. As described in the Group's previous report (see S/2015/797, paras. 33-34), the Sukola II operations disrupted some of those important income streams, and, in late 2015 and early in 2016, more persistent, sustained operations in North Kivu increased that pressure. FDLR continued to generate income, however, through taxation, extortion, looting, kidnapping for ransom and the sale of gold, wood, charcoal and agricultural products. FDLR also benefited indirectly from humanitarian distributions to refugees and displaced people (see annex 16). FDLR was dependent on that income for purchasing materiel and general supplies, such as food and medicine, to allow for its continued existence and operation.

24. FDLR combatants and officers alike told the Group that the military commanders generated that income, not the combatants or those leaders who did not command troops directly. Both that and the level of income generated were confirmed in a memorandum of June 2015 to FDLR units by the FDLR interim president, Gaston Iyamuremye, who complained that particular cadres were becoming rich, building houses and buying cars and motorcycles, while the FDLR "platform" itself lacked funds (see annex 17).

Case study: income generation in Buleusa

25. On 26 November 2015, FDLR was pushed out of the town of Buleusa in eastern Walikale territory in North Kivu by coordinated attacks by two Mai Mai groups (see para. 76). The Group inspected the FDLR positions the following day and recovered hundreds of documents that showed how the armed group functioned there and generated tens of thousands of dollars annually. Buleusa was the main town occupied by the Derby Company of FDLR, commanded by "Lieutenant Colonel Kizito". While only one of more than a dozen FDLR units operating in North Kivu, the

documentation of the unit's economic operations shows the scale and range of FDLR income generation in eastern Democratic Republic of the Congo.

26. Commercial traffic that passed through that area was taxed at two points: Katsinga and Kimaka (see annex 18). FDLR documents registered 43 trucks passing the Kimaka barrier between 16 August and 5 September 2015 and 22 passing the Katsinga barrier between 1 August and 30 September 2015 (see annex 19). Sixty-two of the 65 trucks paid the FDLR between $10 and $20, depending on the goods that they were carrying.[5] Trucks carrying foodstuffs paid $10 each and trucks carrying wood products (planks or charcoal) $20 each. If this sample is representative, then annual receipts for road taxation for that FDLR unit would have been at least $13,000 for those two barriers.

27. While that unit's area of control was not in Virunga National Park, it still had access to timber. The Group documented sawing stations next to FDLR military positions in Buleusa, and the FDLR's taxation records show that some trucks passed the Kimaka barrier carrying wood products and that they were not taxed. A note was written next to the untaxed trucks indicating that their contents were for the commander ("comdi") or the neighbouring FDLR Canaan subsector ("kanani"). Merchants that passed through the area told the Group that a truckload of charcoal sold in Buleusa for $1,000 and a truckload of planks for between $2,000 and $2,600.[6] If the sample were representative of the entire year, and FDLR sold only one truckload of planks per month, that unit still would have earned between $24,000 and $31,000 annually from planks. A Buleusa resident and a former FDLR combatant explained that "Lieutenant Colonel Kizito" had dominated the plank production in the area, not allowing others access to suitable trees, even if they owned the land.

28. FDLR also controlled fields, forcing civilians to work one day a week for free. The workers received a written receipt with a stamp, the date and the labourer's name to prove that they had carried out the service (see annex 20). The main crops that the FDLR unit cultivated were cassava, corn and beans, but they also grew marijuana, which the Group found at several FDLR military positions. Area merchants confirmed to the Group that the FDLR unit had sold many truckloads of foodstuffs each season, which sold in Buleusa for between $1,100 (for cassava flour) and $2,600 (beans) per truckload.[7]

B. Burundian armed groups

29. Political divisions in Burundi increased in 2015 as a result of the disputed nomination of the incumbent President, Pierre Nkurunziza, for a third term. The heightened tensions led to increased Burundian armed group activity and cooperation in Uvira territory in South Kivu of the Democratic Republic of the Congo and increased regional support for those groups.

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[5] Merchants who passed through the area told the Group that they, in fact, had to pay $30, but only $10-20 is written in the official FDLR logs.

[6] A commercial truck can carry between 600 and 800 planks, 130 bags of charcoal or 80 bags of corn or beans. In Buleusa, charcoal sells for 6,000 Congolese francs ($6.50) per bag and planks sell for 3,000 Congolese francs ($3.25) each.

[7] In Buleusa, cassava sells for 13,000 Congolese francs ($14) per bag, corn for 20,000 Congolese francs ($21.60) per bag and beans for as much as 30,000 Congolese francs ($32.40) per bag.

30. The Group met dozens of Burundian combatants captured by the Congolese security services in 2015 and early 2016 and combatants still active in those groups. A total of 24 of the combatants from three different Burundian armed groups in eastern Democratic Republic of the Congo confirmed that they had received military training or other forms of support from individuals in Rwanda. Nineteen claimed to have had direct interaction with Rwandan military personnel.

31. The presence of Burundian armed groups in South Kivu is not a new phenomenon (see S/2015/19, para. 82), and as of early 2016, the Group judged the overall negative effects on the security of the Democratic Republic of the Congo to be moderate, given that the Burundian groups' operational objectives remained in their home country and used South Kivu primarily as a rear base for organizing, planning, training and launching operations across the border into Burundi. The potential for more serious destabilization will remain, however, as long as these groups continue to operate in Congolese territory and receive constant external support.

32. The two most active Burundian armed groups in South Kivu were the Front national Burundais Tabara (FRONABU) and the Forces nationales de libération (FNL), which both pursue similar goals, as described below. Ex-combatants confirmed that the two groups collaborated throughout 2015 and had a formal alliance as of early 2016.

Front National Burundais Tabara

33. FRONABU Tabara is a Burundian armed group that has been operating in eastern Democratic Republic of the Congo since at least 2011 and that is connected to the founder and leader of the Burundian political party Mouvement pour la solidarité et la démocratie (MSD), Alexis Sinduhije. It included some elements previously associated with the Alliance divine pour la nation (ADN, see S/2013/433, paras. 115-117) and the Alliance des démocrates pour le changement au Burundi (ADC-Ikibiri) (see S/2011/738, paras. 141-142). While combatants varied in their statements on whether they should now be referred to as FRONABU Tabara, RED Tabara (Résistance pour un État de droit au Burundi) or MSD, they all agreed that they were fighting for Sinduhije. The Group refers to all these variations as "Tabara" herein.

34. Tabara consists almost entirely of Burundian citizens, including combatants demobilized after the Arusha Accords in 1993, former members of the Burundian police and army (Forces de défense nationale, FDN) who deserted more recently after the electoral troubles in Burundi in mid-2015 and militants with no previous military training. In 2015 and early 2016, when not conducting operations in Burundi, Tabara alternated between bases in the high plateau and the Ruzizi Plain of Uvira in South Kivu.

35. The Group's biggest operation was carried out in Burundi in late December 2014 and early January 2015. Some 150 of the approximately 200 total combatants based in the Democratic Republic of the Congo at that time came together from the Uvira Plain and high plateau to attack Burundian military positions in Cibitoke province. During the operation, the majority of those combatants, including the Tabara commander, "Lieutenant Colonel" Joseph Kaziri, were captured or killed by the Burundian armed forces.

36. Following that attack, Tabara was first reinforced with new recruits without previous military training. Three Tabara combatants and four local residents told the Group that the civilians had been trained at night just east of the town of Mutarule in the first half of 2015. Beginning after the failed coup d'état in Burundi in mid-May 2015, Tabara was reinforced in South Kivu by FDN deserters, some of whom the Group met.

Tabara weaponry

37. Tabara combatants told the Group that they had acquired their military equipment from operations against FDN and FARDC, as well as from FDN deserters who had joined them from Burundi. In addition, three Tabara ex-combatants told the Group about their involvement in transporting large quantities of materiel to Mutarule twice in the second half of 2015, although they did not know their exact origin.

38. The same combatants were later involved in moving some of that weaponry from Mutarule to Uvira, where it was taken across Lake Tanganyika to Burundi. FARDC seized a large cache of the remaining materiel in Mutarule in February 2016, including radios, Kalashnikov-pattern rifles, light and heavy machine guns, rocket-propelled grenades, an 81-mm mortar, a grenade launcher and thousands of rounds of ammunition (see annex 21).

39. The Group inspected the weapons and ammunition under FARDC control in Uvira the day after the seizure. The more than 4,000 rounds of ammunition included four calibres and 33 unique headstamps with characteristics similar to those manufactured in 13 different countries (see annex 22). The vast majority of headstamps had previously been registered in circulation in eastern Democratic Republic of the Congo. In addition, the weapons were types known to be used widely in the Great Lakes region, which gave little additional indication as to how they might have come into the hands of the rebel group.

40. Some of the materiel was found near the Mutarule house of the customary chief, Claude Mirundi, where FARDC also recovered documents relating to Tabara. The documents included notes about the weapons and a list of names, which the Group confirmed were Tabara combatants (see annex 23).

41. Although FARDC arrested Mr. Mirundi, he twice told the Group that he knew nothing about alleged armed group activity, weapons or training in the villages under his leadership, which included Mutarule. Both Tabara combatants and residents of Mutarule told the Group, however, that, as the chief, Mr. Mirundi needed to give approval for Tabara to train there and to bring in weapons.

Forces nationales de libération

42. FNL, consisting almost entirely of Burundian nationals, continued to operate in Uvira territory in South Kivu, but kept a low profile. According to active and recently captured FNL personnel, the force was still commanded by "General" Aloys Nzamapema, with Isidore Nibise as its political leader.

43. FNL had military positions in the high plateau and the Ruzizi Plain along the Ruzizi River, which acts as the border between the Democratic Republic of the Congo and Burundi. In early 2016, almost all FNL troops were deployed along the border in preparation for an operation in Burundi. While previously estimated at

300 active combatants in South Kivu (see S/2015/19, para. 82), the influx of FDN deserters since mid-2015 had brought their numbers closer to 400 by early 2016.

44. FNL continued to recruit in Burundian communities close to the Rukoko forest and in the Lusenda refugee camp in Fizi territory, South Kivu. Six ex-combatants told the Group that they had been taken by force in Burundi, and MONUSCO recovered four children between December 2015 and February 2016 who had been associated with the armed group. In addition to recruiting children, FNL made an example of elements seeking to leave the armed group. In one such case, two deserters were mutilated and killed on 25 December 2015.

45. FDN deserters who joined FNL often came with weapons, ammunition and communications equipment. Their stocks included Kalashnikov-pattern rifles, light machine guns, rocket-propelled grenades, several heavy machine guns and two types of fragmentation grenades. They also deployed explosive devices made from fragmentation grenades to discourage civilians or military units from coming near their camps. According to FARDC, one of those devices killed a Congolese soldier in July 2015.

Burundian opposition training in Rwanda

46. Eighteen of the Burundian combatants captured in South Kivu told the Group that they had been recruited in the Mahama refugee camp in eastern Rwanda in May and June 2015 and given two months of military training by personnel wearing Rwandan military uniforms.[8] Their training included military tactics and the maintenance and use of assault rifles and machine guns. They said that they had been transported around Rwanda in military trucks, often with military escort. They told the Group that there were at least four companies of 100 recruits each being trained at the camp while they were there. Six of the trained combatants with whom the Group spoke were minors.

47. The Burundian combatants received forged Congolese electoral identification cards (see annex 24) that had been produced for them while they were in the camp, allegedly to help them to avoid suspicion while in the Democratic Republic of the Congo. The country's Independent National Electoral Commission confirmed that it had not produced those identification cards and that the signatures on them did not match those of any of the approved signatories.

48. The combatants crossed the Ruzizi River at night from Rwanda just south of the Kamanyola border post in South Kivu. They reported that their ultimate goal was to oust the President of Burundi. Not all the combatants admitted knowing for which party or rebel group they were to be fighting. For example, five of them said that they would be part of a large coalition of all the opposition groups combined. Seven combatants told the Group, however, that it was clear to them that they were all to fight for Alexis Sinduhije and MSD (see paras. 33-36).

49. While the 18 Burundian combatants were trained in mid-2015, similar outside support continued into early 2016. This took the form of training, financing and logistical support for Burundian combatants crossing from Rwanda to the Democratic Republic of the Congo. The Group also met Rwandan nationals who said that they had

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[8] Most of those Burundians had never been to Rwanda before going to the refugee camp and therefore were unable to give precise information about the exact whereabouts of the military camp where they had been trained.

been involved in the training of Burundian combatants or had been sent to the Democratic Republic of the Congo to help to support the Burundian opposition.

50. The Group presented its findings to the Government of Rwanda, which denied any involvement, noting that it was "unaware of [the] recruitment of Burundian refugees in Mahama Camp" (see annex 25). The Government requested additional information about the Group's evidence, which was provided in a letter of April 2016 (see annex 26).

C. Allied Democratic Forces

51. ADF underwent significant changes since FARDC Sukola I operations had captured almost all its bases in 2014 (see S/2014/428, para. 5), scattering ADF into several smaller groups in eastern Beni territory and southern Ituri province. Some of those groups reorganized and returned to the general area of their former strongholds and set up new bases in late 2014 and early in 2015. They did not, however, continue to operate jointly.

52. The arrest of long-time ADF leader, Jamil Mukulu, in April 2015 had a significant impact on ADF groups, given that there was no longer a clear centralized leadership (see S/2015/797, paras. 10-12). According to former ADF combatants, an ideological split also developed between ADF commanders with regard to the violence against the local population (attributed, at least in part, to some ADF groups) and the influx of new combatants, identified mainly as Kinyarwanda speakers from outside Beni territory.

53. For these reasons, ADF cannot be seen as a unified group as of early 2016. The Group assigned names to the various factions and will refer to ADF, as it was previously understood in Madina under Jamil Mukulu, as ADF-Mukulu. The other factions include ADF-Mwalika, the Baluku group, the Feeza group, the Matata group and the Abialose mobile unit. Those factions had separate camps and general areas of operation as of April 2016, although some of them did join forces for specific attacks (see annex 27).

Sukola I operations

54. Since the Group's previous report (S/2015/797), and notwithstanding the arrival of a new general as the commander of the Sukola I operations in June 2015, there was little visible progress in the operations against ADF. As confirmed by senior officers deployed in Beni territory, FARDC took a largely defensive approach against the armed groups operating in the area. During that period, ADF factions operated with relative ease in the forested areas east of the Beni-Eringeti road and repeatedly attacked FARDC positions.

Baluku group

55. After leaving Madina in mid-2014, the ADF group under the command of Seka Musa Baluku (see S/2015/19, annex 4) moved east before setting up a camp south of the village of Kainama early in 2015. At that time, the group totalled some 200 people, counting dependants, and included commanders Baluku, Werason and

"Major" Abdul.[9] Some of the dependants moved north to Ituri and south to the Mwalika area.

56. Ex-combatants from that faction told the Group that they had received reinforcements soon after setting up the Kainama camp, including a group of between 20 and 25 combatants, fully armed and wearing military uniforms. Those reinforcements were kept separate from the Congolese combatants, were referred to as the "newcomers" and spoke Kinyarwanda and Swahili but not Kiganda. Additional ex-combatants witnessed the arrival of these "newcomers" as well, given that they had passed through their camp on their way to join the Baluku group.

57. According to those ADF ex-combatants and to some FARDC officers, the new combatants were sent to the Baluku group by a former FARDC colonel, Richard Bisamaza, who deserted his post in Beni in August 2013. Reinforcements continued to be sent at least until March 2016. The Group met Colonel Bisamaza in Uganda in March 2016, where he denied any involvement in the troop infiltrations.

58. The Baluku group was the largest ADF faction as of early 2016 and was involved in several attacks on civilian and military targets on the main road between the towns of Beni and Eringeti. In some cases, they carried out operations with other ADF factions and the "newcomers", as was the case in the attack on Eringeti in November 2015 (see para. 194).

Feeza group

59. After the fall of Madina, Feeza took his group east, joining the Baluku group for several months before returning west through Ituri to set up several camps near Tshutshubo[10] on the Bango River and just north of the former Jericho camp. The faction had all Ugandan commanders, including Amigo, Muzzanganda and Lumisa, but the majority of its combatants were Congolese from the Beni area. As of early 2016, this group consisted of some 150 people, including dependants.

60. Similar to ADF-Mukulu, as previously described by the Group (see S/2015/19, annex 9), Feeza's group maintained a very strict judicial and religious system. He made everyone, including civilians whom he had captured, convert to Islam and pray and learn Arabic. Former combatants told the Group about an incident in which a commander from the group had slit the neck of a combatant just for having a cell phone.

61. The Group previously reported that ADF had connections and business relationships with the local population (see S/2008/772, para. 69). Feeza's group specifically had close connections to the population between Eringeti and Mbau owing to the marriage of commanders with family members of certain local chiefs. Some of those chiefs were arrested in 2015 for alleged collaboration with ADF and remain in custody, mainly in Kinshasa.

Matata group

62. In close proximity to the Feeza group was a third camp located along the Bango River. That group, referred to by ADF ex-combatants as the "Matata group", consisted almost entirely of Congolese combatants and commanders from the Beni

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[9] The Group notes that ADF-Mukulu was not known to assign ranks.

[10] This is not in the same location as the former ADF camp with the same name.

area, including Castro and Pascal Undebi. Ex-combatants from that faction said that their attacks usually targeted specific individuals, often merchants, with whom they were in conflict. Those attacks included those in Ndalia (Ituri), Kokola, Linzo, Kakuka and Oicha. In some cases, they operated with an external group of Kinyarwanda speakers.

Abialose mobile group

63. A mobile group of between 25 and 30 combatants, mostly Kiganda and Kinyarwanda speakers, operated primarily in the Abialose area under the command of "Major" Efumba. The group repeatedly engaged with FARDC, including in Kainama in February 2015 and Oicha in October 2015, looting materiel and other supplies. It also shot at MONUSCO helicopters on numerous occasions in January and February 2016.

64. Unlike most of the other ADF units, combatants in the group were allowed to have telephones, men and women interacted without restrictions, there were no dependants with them and military ranks were assigned. A former hostage's description of the group's practices suggested that it was less religious than the other groups. She described the women putting on headscarves just when on mission, as if it were an act.

Allied Democratic Forces-Mwalika

65. Several camps in the Mwalika area and at the base of the Rwenzori mountains comprised ADF-Mwalika. Remaining largely unnoticed in recent years, its members sought to blend in with the local population and focus primarily on the cacao and timber business. While the Mwalika camp itself was not attacked, the Sukola I operations cut off the group's business connections, forcing it to turn to agriculture to sustain itself.

66. According to ADF-Mwalika ex-combatants, their camps had been at odds with Jamil Mukulu even before the fall of Madina. They told the Group that a FARDC lieutenant colonel, Birotcho Nzanzu, had begun to send new recruits, including many Kinyarwanda speakers, to ADF-Mukulu before the beginning of the Sukola I operations,[11] which the Mwalika group opposed.

67. Jamil Mukulu's son, Richard Muzei, was also said to have left the Baluku group for ideological reasons. ADF-Mwalika combatants said that their camps had been used as a temporary refuge by him and some of his family members when they left the Baluku group in 2014.

68. ADF-Mwalika continued to receive new recruits in 2015 and early 2016, including Ugandans and ethnic Nande Congolese from the Beni and Butembo areas. The Ugandan security services captured some of those recruits at the Congolese border in Kasese in February 2016. The recruits admitted that they were going to join the group.

69. ADF-Mwalika also had a mobile unit operating in the Mayangose area (see annex 27). It was named as having been involved in the killings in November 2014 in connection with the local land dispute (see paras. 195-197).

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[11] The Group could not meet Colonel Birotcho in detention in Kinshasa, despite several attempts to do so.

D. Lord's Resistance Army

70. While active primarily in the Central African Republic (see S/2015/936, paras. 113-122) and the Sudan-controlled enclave of Kafia Kingi,[12] the Lord's Resistance Army (LRA) also had a presence in the provinces of Bas-Uélé and Haut-Uélé in northern Democratic Republic of the Congo. The group is still commanded by Joseph Kony, who, at least until the end of 2015, was based primarily in Kafia Kingi. During the period under review, there were two defections of key LRA personnel: a senior LRA commander, Dominic Ongwen, left the group in January 2015 and the head of Kony's bodyguards, George Okot Odek, defected in February 2016.

71. Eight LRA ex-combatants and dependants told the Group that one of the LRA mobile camps in the Democratic Republic of the Congo was near the border with the Central African Republic, just south of the Bomu River (see annex 28). The principal LRA combat units in the Democratic Republic of the Congo have focused almost exclusively on the poaching of elephants and the trafficking of ivory back to the main LRA bases in Kafia Kingi (see paras. 172-178). The LRA dependants described weaponry used by the group, which included Kalashnikov-pattern rifles, light and heavy machine guns and rocket-propelled grenades.

72. Two LRA ex-combatants and two dependants told the Group that LRA had a policy of using Mbororo herders to interact with the local population, serving as intermediaries for purchasing supplies.[13] They said that LRA had ensured Mbororo compliance through the threat of kidnapping or stealing their cattle.

73. In Haut-Uélé, an LRA ex-combatant and three dependants, formerly based in the Kony camp in Kafia Kingi, told the Group that there had been a deliberate change of tactics in 2014 and 2015, leading to a reduction in killings and abductions, most of which were limited to one or two days for carrying looted goods. The shorter abductions generally applied only to men, however, given that women were frequently kept for sexual slavery.

74. During the period under review, Bas-Uélé saw a noticeable increase in LRA activity, especially looting. Sources told the Group that one of Kony's sons controlled the LRA unit operating in the area.

III. Congolese armed groups

A. Nduma défense du Congo rénové and the Union pour la protection des innocents

75. The recently formed armed groups, Nduma défense du Congo rénové (NDC-R) and the Union pour la protection des innocents (UPDI), emerged as a powerful force in 2015, upending the former status quo of FDLR control in eastern Walikale and southern Lubero territory. As of April 2016, the two groups had merged and had a larger area of influence than any other armed group in North Kivu (see annex 29).

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[12] Kafia Kingi is a disputed area bordering Darfur between South Sudan and the Sudan.

[13] The Mbororo are a nomadic clan, often stateless, which has been increasingly forced south into the Democratic Republic of the Congo as a result of changing climatic conditions.

Nduma défense du Congo rénové

76. In July 2014, the Nduma défense du Congo (NDC) deputy commander, "General" Guidon Shimiray Mwissa, broke away and created his own group, NDC-R (see annex 30). A former FARDC lieutenant, Shimiray led his group in sweeping operations against FDLR FOCA (Forces combattantes Abacunguzi), FDLR Rassemblement pour l'unité et la démocratie (FDLR RUD) and Mai Mai Lafontaine (Union des patriotes congolais pour la paix) in eastern Walikale and southern Lubero territory. In 2015 and 2016, they successfully captured more than a dozen positions that had long been controlled by the other armed groups along the Bukumbirwa-Miriki and Fatua-Bunyatenge roads. On 10 February 2016, NDC-R also managed to kill the FDLR RUD commander, Jean Damascène Ndibabaje (also known as Musare), during a raid on the FDLR RUD headquarters in Mashuta.

77. The main objective of NDC-R, as stated in a memorandum acquired by the Group, was to fight against FDLR and then integrate FARDC (see annex 31). Guidon and the group's headquarters were located in Irameso in Walikale territory, with an estimated 120 elements. Most NDC officers followed him after the split with NDC, including the NDC-R deputy commander, "Colonel" Gilbert Bwira Chuo, and the entire structure of the NDC Aigle Lemabé Brigade (see annexes 32 and 33). MONUSCO sources estimated the total strength of NDC-R at between 300 and 500 elements.

Collaboration with the Union pour la protection des innocents

78. In November and December 2015, NDC-R liaised with the newly created UPDI to fight against FDLR along the Bukumbirwa-Miriki road. A mainly ethnic Kobo and Nande group, UPDI was created by an ethnic Kobo leader from Mesambo, Marungu Magua, whose family had a land conflict with "Colonel Kizito" of FDLR. A former UPDI officer, an NDC-R collaborator and a civil society representative told the Group that the chief of Miriki, Gervais Paluku, had been instrumental in the creation of UPDI and its coordination with FARDC. Two FARDC officers, two former UPDI elements and four NDC-R elements explained how, early in November 2015, UPDI had attacked FDLR positions on the Bukumbirwa-Miriki road from the east, while NDC-R elements had advanced from the west. Both groups eventually joined in Buleusa in late November, where the Group met them.

79. In December, the UPDI leaders left the area and moved to the NDC-R headquarters in Irameso, where they remained for several months. Five NDC-R officers told the Group that an estimated 30 UPDI elements had been absorbed by NDC-R during their visit, including all the officers.[14]

Relationships with Congolese military

80. Two FARDC officers, two NDC-R ex-combatants and an UPDI ex-combatant told the Group that both NDC-R and UPDI had coordinated with specific FARDC officers against FDLR and had been supported by FARDC with ammunition. They

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[14] Former UPDI commander Marungo Magua became the NDC-R staff officer in charge of operations and former UPDI deputy commander Kitamarongo became an NDC-R brigade administration/logistics officer.

also told the Group that FARDC deployed in Miriki and Kimaka had used UPDI elements as pathfinders.

B. Mai Mai Charles

81. The current Mai Mai movement in northern Rutshuru territory inherited most of its personnel, objectives and modus operandi from successive generations of Mai Mai leaders (Jackson Muhukambuto in 2007, Complet in 2010 and Manga and Shetani in 2012). The previous Mai Mai group active in the area, the Forces populaires pour la démocratie (also known as Mai Mai Shetani), disbanded after the crisis involving the Mouvement du 23 mars (M23). Its leader, Kakule Muhima (also known as Shetani), was arrested in December 2013 and 89 of his elements surrendered to FARDC for demobilization.

82. Former Mai Mai Shetani combatants explained how their group had been reborn in late 2014 and 2015 as the Alliance des forces armées de résistants patriotes Mai Mai (also known as Mai Mai Charles), with the mobilization of cadres who had not surrendered to FARDC. The resurgence of the Mai Mai movement was initiated in mid-2014 by a former escort in Mai Mai Shetani, Charles "Bokande" Mwandibwa. Recruiting in the broader Nyamilima area and using weapons previously hidden when Mai Mai Shetani had demobilized, Bokande established a group with his deputy, Roger Magumu (see annex 34). According to three Mai Mai ex-combatants, they had an estimated 40 elements by late 2014. In mid-2015, Bokande's force grew substantially by integrating the remnants of former Mai Mai Shetani "Colonel" Jadot Katalonge's group, arrested in Goma in May 2015. At its peak in mid-2015, FARDC and Mai Mai ex-combatants estimated the strength of Mai Mai Charles at some 150 elements, deployed mainly in the Virunga National Park up to the south-eastern shores of Lake Edward in Chondo, Kaharavughe and Kafunzo. Four Mai Mai ex-combatants, including two minors, told the Group that the armed groups led by Charles and Jetaime Masimbi had recruited children in 2015 and 2016. According to MONUSCO, 118 children were released from Mai Mai Charles between January 2015 and March 2016.

83. Mai Mai Charles supported a publicized agenda of fighting against Kinyarwanda-speaking armed groups, including FDLR, ex-M23 and Nyatura, and a subsequent integration into FARDC, the Congolese national police, the Congolese Institute for Nature Conservation (ICCN) or State-owned companies (see annex 35). This display of political agenda notwithstanding, Mai Mai Charles fought mainly in 2014 and 2015 for control of the natural resources on Lake Edward, specifically the control of taxation on illegal fishing (see annex 36). Mai Mai Charles also established revenue from kidnapping activities along the Ishasha-Nyakakoma road and the illegal taxation of local farmers.

84. Mai Mai Charles nevertheless benefited from positive relationships with particular FARDC officers stationed in Nyamilima (currently the 3411th Regiment). Both former Mai Mai elements and FARDC officers told the Group that those relationships had originated in the initial deployment of the 809th Regiment, which collaborated extensively with the Mai Mai during the fight against M23. They underlined that the conflict, or lack thereof, between FARDC and the Mai Mai depended ultimately on the personality of the current FARDC commander in the area.

85. The Group received credible information on local collaboration between FARDC and the Mai Mai. Three FARDC officers told the Group that Mai Mai Charles had purchased ammunition from elements of the 3411th Regiment. Two Mai Mai ex-combatants told the Group that such purchases were made often through local brokers, usually ex-combatants, in Nyamilima and Buramba. In addition, four Mai Mai ex-combatants and three FARDC officers confirmed to the Group that, in September 2015, an FARDC officer had bought back from Charles Bokande himself a heavy machine gun seized by the Mai Mai during the fighting against the 3411th Regiment in Kafunzo in June 2015. In January 2016, the Group also witnessed an FARDC officer based in Nyakakoma talking on the telephone and giving instructions to the secretary of the group led by Jetaime Masimbi.

86. The Mai Mai also developed relationships with specific park rangers from ICCN. In February 2016, having heard about operations being planned against them, an estimated 35 Mai Mai elements from Jetaime Masimbi's group encircled a joint FARDC-Institute position in Kamuhororo and seized their weapons without firing a shot. A Mai Mai ex-combatant and two FARDC soldiers told the Group that the soldiers and park rangers had been released because they had previously had good relationships with the Mai Mai, who had their position less than 3 km from them and were frequently visiting them.

Taxation of fishers on Lake Edward by the Mai Mai and the Congolese army

87. Fishing activities on Lake Edward offered income-generating opportunities for both armed groups and FARDC naval units deployed on its shores. Most of the business was informal and only a quarter of the estimated 4,000 canoes[15] on the lake were registered and therefore legally permitted to fish, which makes revenue difficult to determine. For Mai Mai Charles, however, the taxation income on illegal fishing was high enough that it became the group's primary raison d'être.

88. The attack on Chondo early in 2015 allowed Mai Mai Charles to control the taxation of fishers between the Mutima Sanga and the Rutshuru rivers. In late 2015, after the split with Chuma Malyene, Mr. Malyene set himself up in Kaharavughe (Kamuhororo area, 10 km west of Nyakakoma) with some 120 troops. He was assisted in collecting taxes by a former park ranger, Kambale Katshuva and his 25 elements based in Kisitu, north of Chondo, where they had two motorized boats and two canoes.

89. In late 2015 and early in 2016, those two groups collected taxes on and around Lake Edward. Four Mai Mai ex-combatants told the Group that they had charged $50, or 50,000 Congolese francs, per week for each unregistered canoe. In return, they gave a token as a receipt (see annex 37). For an unregistered motorized canoe, they charged 200,000 Congolese francs per week. Four fishers told the Group that, if caught on the lake with an unregistered canoe and without having paid the Mai Mai, they could have their motor or even a fisher taken hostage in Kaharavughe until the fee was paid. Early in February 2016, the Group witnessed the Mai Mai canoes patrolling the area (see annex 38).

90. Most of the fishers were unregistered and used illegal fishing techniques. Both Mai Mai elements and FARDC naval forces protected illegal fishers against the rules and regulations of the fishing activities on Lake Edward. The Mai Mai set up a

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[15] This estimate comes from local fishing cooperatives.

taxation system competing directly with the registration system. Although Mai Mai elements rarely engaged directly in fishing activities, they protected and promoted the activities of local businesspeople who collaborated with them.

91. The Group also found that FARDC naval forces had provided the same sort of protection for illegal fishers. Four fishers and an FARDC officer told the Group that FARDC Major Mumbere was in charge of the naval forces in the Nyakakoma and Kagezi areas along the eastern shore of the lake where the protection racket was carried out. Although they did not distribute receipts, they did collect 200,000 Congolese francs, or $216, per week for fishers using fine nets and 30,000 Congolese francs, or $32, for between two and four days of fishing in spawning grounds. They also charged 350,000 Ugandan shillings, or $103, for fishers coming from the Ugandan village of Rweshama. Such payments allowed those fishers to be released if arrested by the local authorities.

C. Forces de protection du peuple and civilian settlements

Forces de protection du peuple

92. The Forces de protection du peuple (FPP) is a majority Hutu armed group operating in north-eastern Rutshuru territory under a former FDLR-RUD combatant, "Colonel Dani Hugo". The group consists of elements formerly associated with FDLR-Soki until the death of its commander, "Colonel" Sangano Mushoke, in 2013 and his replacement, "Major" Kasongo in 2014. Although formally independent, FPP can be seen as a criminal satellite of FDLR-RUD, with no political agenda of its own. Both groups are actually difficult to tell apart. The spokesperson told the Group that its political leadership was the same as that of FDLR-RUD. The Group also witnessed how FPP and FDLR-RUD held common positions in Kigaligali in February 2016. FARDC estimated the two groups to have a combined 200 combatants. The Group estimates that some 70 of them are from the ranks of FPP.

93. FPP is deployed mainly in Katwiguru and Kisharo along the Rutshuru-Nyamilima road, as well as further north in Virunga National Park in Kigaligali and Busesa. The leadership, including the commander, "Colonel Dani Hugo", the spokesperson, "Captain Mayanga", and "Major Kadhafi", remains largely Rwandan, while the rank and file is largely Congolese. FARDC estimated that the group had some 60 assault rifles, nine light machine guns, seven rocket-propelled grenades, three 60-mm mortars and one 82-mm mortar. Most of its revenue came from kidnapping, poaching (smoked meat) and illegal taxation.

Civilian settlement under the protection of the Forces de protection du peuple and the Forces démocratiques de libération du Rwanda rassemblement pour l'unité et la démocratie

94. The Group found that, in 2014 and 2015, between 1,000 and 3,000 mostly ethnic Hutu families were resettled in an area of Virunga National Park called Kongo, partially under the control of FPP and FDLR-RUD. Considering the taxation that the armed groups impose on civilians living in areas of their control, the resettlement brought with it a significant boost in income. Encouraging such resettlement therefore represents de facto financial support for armed groups.

95. After the defeat of M23 in 2013, the Binza customary chief, Jérôme Nyamuhenzi Kamara, began distributing plots of land in Kigaligali and in the Katanga area, a section of the Virunga National Park west of the Nyamilima-Ishasha road. The plots were given to displaced persons who had been camped in Kiwanja, to Congolese refugees in the Nakivale refugee camp in Uganda and to civilians from other North Kivu territories in search of land. The plots were free, although customary taxes were to be paid after three years (see annex 39).

96. Two representatives of the Fondation Eugène Serufuli Nyagabaseka, as well as two ethnic Hutu leaders from Kiseguru and Katwiguru, confirmed that the foundation had encouraged civilians to acquire land in the Kigaligali area by registering them (see annex 40) and directing them to the Binza chief. The foundation distributed kits to the settlers and built a mill, a fountain and a school in Kigaligali 2.

97. In response to letters from the Group enquiring about Mr. Serufuli's relationship with the foundation named after him, he underlined that he was only an honorary member, bringing material and financial support when requested. He wrote that he did not consider Kigaligali 2 to be in Virunga National Park and understood the work of the foundation to be strictly humanitarian.

98. The Group notes that the resettlement location includes the areas known as Kigaligali 2 and Katanga, which have been occupied by FPP and FDLR-RUD since 2010. Both these groups financed themselves through the taxation of civilians. In Kigaligali, for example, every bag of harvested foodstuffs was taxed 500 Congolese francs, or $0.54, by FDLR-RUD and 1,500 Congolese francs, or $1.62, by FPP (see annex 41). The resettlement of civilian families to these areas thus represents de facto financial support to these armed groups.

99. In March 2016, joint ICCN and FARDC forces stormed the civilian settlement in Kigaligali, chased away its inhabitants and burned down their houses, killing two civilians. FPP and FDLR-RUD troops moved east towards the Sarambwe area near the Ugandan border.

IV. Criminal networks

100. In addition to armed group activity, the Group notes that criminal networks are an important contributing factor to the insecurity in eastern Democratic Republic of the Congo. By criminal network, the Group understands it to be a group engaged in repeated, organized criminal activities for personal gain that cause significant harm to the larger community. Such networks are first and foremost driven by the generation of revenue rather than political aspirations. They take advantage of State weaknesses rather than try to replace the State. Criminal networks can also exist within State structures, such as the military, as repeatedly reported by the Group (see, for example, S/2013/433, paras. 164-165). The case studies below include former members of armed groups and both current and former FARDC elements.

A. Sikatenda Shabani

101. The Group has found that a retired FARDC general, Sikatenda Shabani, carries out widespread extortion of gold, with the threat of violence, throughout Fizi territory in South Kivu.

102. The case exemplifies how distinctions between armed groups, criminal networks and FARDC elements can become blurred. Before being formally integrated into FARDC, General Sikatenda had, for many years, been a Mai Mai commander in South Kivu. Multiple witnesses in Fizi territory, including an FARDC general, told the Group that they viewed the current behaviour of General Sikatenda and his armed men as no different than that of an armed group. However, given that he has no operational engagement with any hostile elements, does not directly oppose the Government and does not seek to hold territory, the activities do not fall under the rubric of an armed group. Although he identifies himself and sources much of his authority from his rank as an FARDC general, in fact his status is simply that of a retired officer, with senior FARDC officers condemning his behaviour to the Group and emphasizing his separation from FARDC.[16] In fact, the behaviour of General Sikatenda and his entourage most resembles that of an organized criminal network, focused on maximizing the extortion of gold from mine site operators.

103. Currently based in Kilembwe in Fizi territory, he retains an entourage of armed men.[17] Multiple witnesses, including mine site operators, civil society representatives and local authorities, told the Group that he moves regularly between his base in Kilembwe and the areas around mining sites in the Misisi region, extorting 24-hour, 48-hour or 72-hour periods of gold production from mineshaft proprietors, issuing arbitrary decrees and acting with impunity as an authority and arbiter above the local government and FARDC.

104. Mine site operators and civil society representatives told the Group that General Sikatenda and his entourage were widely known for their capacity for violence, with both witnesses and sources expressing considerable concern for their safety. Three mineshaft operators told the Group that General Sikatenda's agents came to mining sites, sometimes armed and in uniform.

105. Five mine site operators told the Group that General Sikatenda had between 10 and 20 agents at any one time based in Misisi, under the command of a coordinator known as Diope. In 2014, he addressed a meeting of mineshaft owners and told them that he had the right to have a 24-hour period of production from each pit annually. The frequency of the demands has since risen to two or three times a year for every one of the some 100 operational pits in Misisi. Three mineshaft operators described how they witnessed either General Sikatenda himself or agents acting on his behalf extort 24-hour or 48-hour periods of production from six different mineshafts in 2015 and 2016. The original undertaking of one 24-hour period has risen to a 48-hour, 72-hour and, in one case, a five-day period of production.

106. While mineshaft owners do not know the exact quantity of gold produced during these periods, given that General Sikatenda's group provides its own miners, a mineshaft proprietor estimated that a typical 24-hour period of production would have resulted in 100 g of gold, which would have a value of some $4,000. Witnesses told the Group that, at any given time in Misisi, General Sikatenda would be operating extorted periods of production at one to three mineshafts for the profit of himself and his group.

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[16] A senior FARDC officer told the Group in August 2015 that he recognized that Sikatenda's movement throughout much of South Kivu with a large armed entourage constituted a problem that needed to be addressed.

[17] An FARDC general in South Kivu estimated General Sikatenda's entourage at 150 elements, but the Group could not confirm that figure.

107. The Group knows of 10 mineshaft proprietors in Misisi who, in one month in 2016 alone, were forced to give up either 24-hour or 72-hour periods of production or to make cash payments. Multiple witnesses told the Group that a similar scale of extortion was occurring at the other gold mining sites in the Misisi area.[18]

108. The Group also has documentary evidence of General Sikatenda's issuance, under his own authority, of laissez-passer documents to transporters of goods (see annex 42), which make the transporters' vehicles effectively off-limits for inspection. The document is entitled "Democratic Republic of the Congo: Congolese armed forces" and is signed by "Lieutenant General Sikatenda Shabani". While not issued or endorsed by the Government of the Democratic Republic of the Congo or FARDC, the fact remains that General Sikatenda presented himself as a serving FARDC general without the intervention of the government authorities to stop him.

109. The Group sent a letter to General Sikatenda in April 2016 regarding his activities in Misisi and awaits his response.

B. Kidnappings in Rutshuru

110. Rutshuru civil society organizations recorded 110 cases of kidnapping in Rutshuru territory in 2015 and early in 2016, the vast majority of which came with a requested ransom payment. Most of the kidnappings occurred on the main roads between Goma and Kiwanja, Kiwanja and Kanyabayonga, and Kiwanja and Nyakakoma, but also within Virunga National Park. Victims were usually wage-earners and businesspeople, but also, on occasion, simple farmers. Armed bands of some 5 to 10 men carried out the kidnappings and usually took the victims to Virunga National Park while they negotiated the ransom with family members, the community or an employer. Ransoms depended on the means of the victim, but usually ranged from $1,000 to $2,000. Payments were made through an intermediary or, in some cases, by mobile money transfer.

111. Victims, witnesses and civil society sources told the Group that the main perpetrators of kidnappings in Rutshuru were criminal networks consisting of former Nyatura elements and armed entrepreneurs who had split from their respective armed groups. Former Nyatura elements, mobilized by FARDC against M23 in 2012 and 2013, constituted the main personnel of those gangs. They included former members of the Force de défense des intérêts du peuple congolais and the Mouvement populaire d'autodéfense (see S/2014/42, para. 159), organized around leaders such as "Jean" Emmanuel Biriko, Godefroid Nizeyimana and Fidèle Karaï (see annex 43).

112. The Group found that certain members of the Congolese security forces had also participated in kidnappings in the area, which had even led, in some instances, to fighting between FARDC units. Two park rangers from ICCN and two FARDC officers told the Group about one such situation after two truck drivers had been kidnapped in Kibati (20 km north of Goma) on 26 January 2016. As the rangers engaged with and then pursued the kidnappers, they were called by an officer of the 3408th Regiment, who told them that they had been fighting against his unit.

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[18] Other gold mining sites near Misisi include Lubichako 1, Lubichako 2, Tulonge, Ngalula, Makungu and Nyangi.

V. Natural resources

113. The exploitation and trade of natural resources such as gold, timber, tin, tantalum and tungsten continue to follow the same patterns as in previous years. A large portion of natural resources in the eastern Democratic Republic of the Congo continue to be mined, traded and exported illegally, with armed groups, certain FARDC elements and some trading companies reaping the vast majority of benefits while depriving the Government of significant tax revenue.

114. The Group appreciates the responses received from Member States in response to its midterm report (see annex 44), but notes that some of its previous recommendations in relation to natural resources have not been implemented (see S/2014/428, S/2015/19 and S/2015/797, para. 111 (c)). For example, little has been done to address the impunity of certain FARDC officers who remain involved in the illegal exploitation of natural resources. While the Group noted some positive efforts to demilitarize mining sites (see para. 118 and annex 44), there were many examples of FARDC elements continuing to benefit from the taxation of natural resource exploitation and trade (see paras. 134-136). In addition, States members of the International Conference on the Great Lakes Region did not systematically share their mineral import and export statistics as previously recommended, which would help to identify cross-border mineral smuggling, one of the major problems facing the mineral sector in the eastern Democratic Republic of the Congo (see paras. 156-164).

115. As in previous years, the Group found that armed groups were continuing to generate significant revenue from the illegal taxation and exploitation of natural resources. FDLR remains involved in charcoal, timber and gold; LRA focuses on poaching and trafficking ivory; and for some armed groups such as Mai Mai Charles resource exploitation has become a principal raison d'être. For the present report, the Group focused primarily on gold, given that it is the most lucrative and easily smuggled of the natural resources in the eastern Democratic Republic of the Congo. The case studies below show the involvement of the armed groups FDLR, the Force de résistance patriotique de l'Ituri (FRPI), Mai Mai Lafontaine, Mai Mai Morgan and NDC-R, as well as the smuggling activities of some traders and exporters.

Developments in due diligence

116. As noted previously by the Group (see S/2015/19, paras. 156-159), the Regional Certification Mechanism of the International Conference on the Great Lakes Region is moving forward in its implementation as the umbrella mineral certification system for the region. This allows participating States to choose at a national level their own mineral due diligence and traceability frameworks, provided that they are compliant with the standards of the mechanism.[19]

117. For tin, tantalum and tungsten, or the "3T" minerals, the industry-led ITRI Ltd Tin Supply Chain Initiative has further expanded its coverage of mining sites in the eastern Democratic Republic of the Congo, with 322 sites covered in December 2015 compared with 260 a year before. Other due diligence/traceability systems,

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[19] The standards are in turn based upon the Organization for Economic Cooperation and Development Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas.

such as BSP/GeoTraceability, are still setting up pilot projects before evaluation. However, there remains a lack of technical alignment and harmonization between the International Conference on the Great Lakes Region Regional Certification Mechanism and the currently predominant Tin Supply Chain Initiative system, which has led to the duplication of processes, such as third-party auditing. Currently, the cost of this duplication is being borne by international donor partners, but in the medium to long term this will be unsustainable.

118. The Group has observed the positive development of armed groups having fewer opportunities to benefit from tin, tantalum and tungsten exploitation at mining sites where due diligence procedures have been put in place. This is a result of the efforts made by Member States and other stakeholders to adopt due diligence measures as recommended by the Security Council in paragraph 7 of its resolution 1952 (2010).

119. Nevertheless, tin, tantalum and tungsten supply chains face numerous challenges, such as the involvement of FARDC elements, corruption of government officials and smuggling and leakage of minerals from non-validated mining sites into the legitimate supply chain.[20] All these represent a threat to due diligence implementation in the country's tin, tantalum and tungsten sector. The Group believes that, if this issue is not practically addressed by all stakeholders, these challenges will jeopardize the credibility of the due diligence process and negate the tangible achievements realized thus far.

120. While the traceability system for tin, tantalum and tungsten is becoming increasingly embedded in the country's mining governance, except for a few pilot projects,[21] there is still no traceability system for gold. Given that gold is the most lucrative of the natural resources for exploitation by armed groups and some FARDC elements, this is cause for concern.

121. As highlighted here, with regard to false ascription of provenance for almost all gold produced in South Kivu (see paras. 147-150), a secure traceability or chain of custody system from the point of production at the mine site to the point of export is urgently needed to prevent the leakage of gold that is not conflict-free into the legitimate supply chain (see S/2015/19, para. 190).

A. Gold

122. Illegal taxation and looting by armed groups and some FARDC elements, as well as illegal cross-border trafficking, affect much of the artisanal and small-scale mining gold production from the eastern Democratic Republic of the Congo.

123. Gold is used for money-laundering, which facilitates illegal financial flows for individuals and companies operating in the eastern Democratic Republic of the

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[20] The International Conference on the Great Lakes Region uses the colour-based validation scheme defined in the guidance of OECD and the regional certification mechanism. According to this scheme, a "green" mine has met all international standards. A mine is "yellow" when infractions are found. No minerals can be officially exported from a "red" mine, which is a site where grave infractions are found.

[21] For example, the Group is aware of the pilot project "Just gold" conducted by non-governmental organization Partnership Africa-Canada, in Mambasa territory, and another by Capacity Building for Responsible Minerals Trade, in Maniema province.

Congo and neighbouring countries. The Group found that legal exporters in the Democratic Republic of the Congo and neighbouring countries are underestimating the real value of their exports. The Group compared the declared imports of gold into Dubai, United Arab Emirates, from the Democratic Republic of the Congo, Burundi and Uganda with those countries' declared exports, and found that the discrepancy amounted to an underdeclaration of $174 million at the point of export for the first nine months of 2015 (see paras. 156-158). This underdeclaration sometimes involves the falsification of official Congolese and regional documents required for gold export,[22] which could expose downstream buyers to potential legal and reputational risks.

124. The Group found that revenue distribution along the gold supply chain particularly benefited established exporters, or *comptoirs*. Taking advantage of weaknesses in governance in the Democratic Republic of the Congo, they ignore due diligence requirements to source from validated mining sites; aggregate gold sourced from multiple sites, some of which are not validated; and massively underdeclare exports to national and provincial authorities. This allows them to pay no taxes or only a fraction of what would otherwise be payable, thus generating considerable profits at the expense of the Government and upstream mining communities.

125. With armed groups and ill-disciplined FARDC elements benefiting from illegal taxation and/or extortion mainly at the mine site, and therefore not needing to sell directly to the *comptoir*, it is difficult to obtain evidence of a direct link between an exporter and armed groups. However, with the deliberate policy of not asking questions as to the gold's origin (see paras. 139 and 146) and knowingly buying gold that has clearly falsified documentation (see para. 155), the *comptoirs* are effectively enabling the laundering of illegitimate gold that is not conflict-free into the international supply chain.

126. In the paragraphs below, the Group presents its findings at points along the gold supply chain — from the mining sites, where armed groups and FARDC elements continue to play a role, to the main trading centres, transiting countries and downstream buyers.

1. Presence of armed groups and military elements at gold sites

127. During its mandate, the Group focused on representative cases in the provinces of Ituri, North Kivu and South Kivu, where armed groups and/or FARDC elements were present or benefiting from the gold trade.

Gold sourced in the territories of Mambasa and South Irumu, Ituri

128. As previously reported, the death of the Mai Mai Morgan leader, Paul Sadala, did not bring an end to the armed group, but caused it to split into several smaller groups (see S/2015/19, para. 116).[23] FARDC elements, government officials, civil society leaders, gold *négociants*, diggers and dredge owners on the Ituri River told

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[22] Rwanda and the Democratic Republic of the Congo require the issuance of an International Conference on the Great Lakes Region export certificate for the export of gold and tin, tantalum, and tungsten. For more on the Conference's certification mechanism, see S/2014/428, paras. 77-80.

[23] In addition to groups led by Mangaribi (Morgan's brother) and Manu (Morgan's former ally), the Group was told about the presence of Nande elements that came from Beni Territory. These groups operate in the forest in Mambasa Territory, including parts of the Okapi Wildlife Reserve.

the Group that those armed groups were active along three main roads: Mambasa-Biakato, Mambasa-Nia Nia and Nia Nia-Isiro. The groups operated similarly at all the mines, usually arriving at night and looting gold and money from diggers. In addition, four diggers told the Group about instances in which they had been forced to carry pillaged goods for the armed groups from the Muchacha mining site, near Badengayido.

129. The Group also confirmed the existence of armed FRPI elements in various mining sites south of Gety, in southern Irumu territory. The Group interviewed a civil society representative and seven diggers in Olongba, "Bavi moteur" and Bukiringi. All reported that the current situation was different from that of previous years, when FRPI elements were physically and permanently present at mining sites (see S/2014/42, para. 165, and S/2012/843, para. 84). Since the beginning of FARDC operations in August 2013, FRPI has been repeatedly pushed out of its positions in the area. Today, FRPI elements are primarily focused on looting and taxation. The seven diggers told the Group that they had each witnessed at least one raid in 2015 and early 2016 on mining sites around Olongba.

Gold sourced in Lubero territory, North Kivu

130. Various mining sites in Lubero territory are controlled by armed groups, with one sometimes supplanting another. While the exact rates of extortion vary depending on the site, armed groups invariably extract significant sums from site operators and diggers. For example, diggers working in the Musigha mine, in Lubero territory, told the Group that, when the sites were under the control of elements from FDLR-RUD and Mai Mai Lafontaine until early 2015, each pit owner was required to pay $50 before digging, plus 10 per cent of production. FARDC officers, mining site operators and diggers told the Group that the two armed groups had taken turns visiting the sites.

131. In late 2015, NDC-R took over many of the sites in Musigha, requiring each digger to pay 2,000 Congolese francs ($2.16) to enter the site, plus a percentage of their production. The same applied to mining sites around Fatua, where diggers reported that they each had to pay 1,000 Congolese francs ($1.08) to NDC-R elements before entering the site. At Fatua, some NDC-R elements were also working inside the site and trading gold in Kasugho. The Group spoke with an NDC-R combatant in Kasugho, who confirmed the information, saying that he would use the money received from the sale to buy ammunition.

132. Five dredge owners operating on the Lubero River told the Group that FDLR elements were taxing them 5 g of gold per month (worth approximately $175).[24] According to them, FDLR controlled the areas between Kasugho and Buyinga and usually sold the gold at Matuna market and in Kasugho.

133. In the area around the city of Mbingi, NDC-R, FDLR and Mai Mai Lafontaine were most active in mining sites around the Kalehe and Luholo rivers. In addition, the Group spoke with diggers, pit owners and members of civil society at the mining sites and in Mbingi, who told the Group that successive Mbingi-based FARDC commanders were also collecting money or gold from diggers. This was presented as a "security contribution", collected monthly. Two FARDC soldiers in Mbingi

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[24] In October 2015, diggers told the Group that they were selling a gram of gold for $35.

confirmed to the Group that they had been sent by their commander to collect the contribution from the representative of the mine site operators.

Gold sourced in Fizi territory, South Kivu

134. In 2015 and early 2016, FARDC was in full control of the gold mines in the Misisi area, one of the most significant sites for gold production and trading in South Kivu.

135. The Group found that the FARDC 3302nd Regiment, under the command of Colonel Samy Matumo, continues to operate an illegal barrier between mining and processing areas. This was consistent with the Group's previous findings (see S/2015/19, paras. 195-196, S/2014/42, para. 162); Colonel Samy Matumo was also named in previous reports (see S/2010/596, paras. 35-36, and S/2009/603, para. 124). Four mine site operators told the Group the miners are obliged to pay 500 Congolese francs ($0.54) to have access to the mining area. On their return to the processing area, bicycles (usually carrying loads of gold-bearing rocks) were taxed a further 1,000 Congolese francs ($1.08) by the military, with no receipts given (see annex 45). When provincial mining or military authorities visited from Bukavu, the illegal barrier was operated semi-clandestinely, and only at the time of greatest traffic, between 6 a.m. and 8 a.m. A local cooperative official estimated that there were approximately 300 to 400 bicycles paying the illegal tax every day.

136. Two FARDC generals in his chain of command told the Group that Colonel Samy Matumo had twice been recalled in 2015, in February and July, for consultations with higher echelons in the FARDC hierarchy, following allegations of his illegal involvement in natural resource exploitation in Misisi. Colonel Matumo has been the regimental commanding officer in Misisi since the beginning of 2012. In March 2016, the FARDC general commanding Operation Sukola II in "South Kivu-South" told the Group that he would initiate a general rotation of all elements and officers, including Colonel Matumo, in the near future.

2. Gold trading in the Democratic Republic of the Congo

137. After the gold has been extracted from the mining sites, it is generally purchased by *négociants*, who then sell that gold to *comptoirs*, who have the legal right to export to other countries. Any gold that comes from non-validated sites is ineligible for export, given that it is possible that armed groups have benefited from it. Most gold exploitation in the eastern Democratic Republic of the Congo takes place at non-validated sites, however, and during the process of purchase and resale, such gold can be mixed with gold from the validated sites. This laundering of gold is demonstrated in the case studies of two major gold trading towns: Butembo, in North Kivu, and Bukavu, in South Kivu.

Gold trading in Butembo, North Kivu

138. Butembo has long been an important centre for the gold trade in North Kivu. During its mandate, the Group interviewed more than 40 individuals based in Lubero and Mambasa territories — including businesspeople, diggers and mining officials — whose testimony made it possible to establish the main gold routes from mining sites to Butembo (see annex 46). Much of the gold comes from non-validated mining sites, such as those controlled by armed groups, as detailed above.

139. Five *négociants* admitted to the Group that they did not inquire into the origins of the gold that they bought. Two commercial traders in Butembo, who are not *négociants* and have no official permission to trade in gold, told the Group that they received gold through bartering with any source that they could find. The fact that these unofficial traders are involved in the market at all makes it very difficult to trace the gold.

140. As the sole *comptoir* in Butembo, Glory Minerals (Glorym) purchases much of the gold that comes from the validated and non-validated sites mentioned above. Based on interviews with *négociants* in Butembo, the Group estimates that there is a turnover of about 45 kg of gold per year, much of which is sold to owners of Glorym.[25] Ten *négociants* and nine Butembo-based gold traders, for example, told the Group that they sold all their gold to Glorym owners. According to its official declarations, however, Glorym only exported 6 kg of gold in 2015.

141. Glorym bank records show a large discrepancy between the declared value of exported gold and the funds received from Dubai, where it sells its gold, during the same period.

142. In addition, the Group found no physical address for the company in Butembo and notes that that mentioned in its statutes is the office of Katina Kambale Mbayahi. This is a violation of Congolese law and International Conference on the Great Lakes Region due diligence requirements.

143. The Group requested information from Glorym regarding its findings in a letter dated March 2016, but has not yet received a response. The Group also requested information from the main Dubai-based buyer of Glorym gold exports, but has not received a response.

144. During its current mandate, the Group spoke with many *négociants* and other actors in the mining sector, who said that they continued to sell their gold primarily to Glorym owners. This was also documented in previous reports (see S/2008/773, para. 96, and S/2009/603, para. 128). The individuals include Muhindo Muhiwa "Epa", Katina Kambale Mbayahi "Dido", Kambale Vikalwe "Edouard" and Nzanzu Mbusa Jeanne.[26] The Group believes that these owners use their association with Glorym as a cover to smuggle gold.

Gold trading in Bukavu, South Kivu

145. Bukavu is the main trading centre for gold sourced in South Kivu, with 84 *négociants* and 6 *comptoirs*.[27] In South Kivu, only one gold mine site (Nyakabindi, in Walungu territory) has, as of April 2016, been validated by the Government and its international partners as "green", i.e. free from armed group or FARDC involvement, and thus eligible for legitimate export through International Conference on the Great Lakes Region export certification.

146. Similar to the situation described above for Butembo, the Group confirmed through multiple sources that brokers in South Kivu did not ask about the origin of the gold that they were buying. For example, the Group interviewed three brokers

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[25] This figure does not include the sale of gold by those not registered as *négociants*.

[26] Mrs. Mbusa is the widow of the late Kisoni Kambale "Kidubai", who was sanctioned by the Security Council in March 2007 for militia financing.

[27] Delta Gold, Namukaya, Ets Kasereka, Golden Gold, Cavichi and Golden Gold Mining.

sent from Bukavu to Shabunda in order to buy gold on behalf of Bashi Jules, a Bukavu-based trader (see S/2014/42, paras. 163 and 172). They told the Group that from January to February 2015, they had purchased gold from areas controlled by various factions of Raia Mutomboki. Two freight company employees who move goods from Shabunda to Bukavu also confirmed that that trader was receiving gold from those areas.

147. At a more systemic level, throughout South Kivu, the Group documented a system of falsely attributing mine site provenance, which effectively enables the laundering of potential conflict gold into the legitimate supply chain.

148. According to official government mining agency statistics, all gold legally exported from South Kivu comes from the sole validated site, Nyakabindi. In fact, the site's status as a particularly productive artisanal and small-scale gold mine site is a convenient fiction that suits all stakeholders involved. When it was visited as part of the validation process, on 21 February 2014, inspectors estimated its total production capacity at 0.5 g per day, involving 20 miners. Assuming 25 working days per month, that equates to an annual production of 125 g (less than $5,000). As the Group's recent photographs of the site illustrate (see annex 47), little has changed, and there is certainly nothing to suggest that Nyakabindi can amount to anything more than a tiny fraction of the 120 kg officially exported from South Kivu in 2015.

149. A gold buyer, by fraudulently claiming that the gold's provenance is Nyakabindi, can effectively launder gold from another non-validated site (regardless of whether it is controlled by an armed group or FARDC) into the legal supply chain and then on to the international gold market. The Group has documents that illustrate how the exporter cites Nyakabindi as the provenance for gold that must in fact have come from Misisi, given that the vendor is actually one of the local Misisi cooperatives and not at all operational in Nyakabindi (see annex 47). This in turn allows the exporter, usually based in Bukavu, to then request an International Conference on the Great Lakes Region export certificate, citing the validated Nyakabindi site as the gold's provenance.

150. While the slow pace of the joint validation missions (see S/2014/428, para. 83) may make Nyakabindi a tempting expedient for all concerned, it has significant negative consequences. First, the entire gold export certification system, which is designed mainly to provide assurance to downstream buyers that the gold that they are purchasing has not benefited armed groups, is in part premised upon the principle of knowing the exact mine site provenance of the gold. It is currently impossible to know the real provenance of any gold officially exported from South Kivu. Second, basing an export certification system upon what is clearly an untruth undermines the legitimacy of the entire regulatory mechanism and sets a precedent for cases of much more egregious fraud.

3. Bukavu exporter Caetano Victor Chibalonza (Cavichi) SARL

151. As previously reported by the Group (see S/2011/738, para. 506), the underdeclaration of gold exports is a chronic problem. During its current mandate, the Group documented that the largest Bukavu-based gold exporter in South Kivu,[28]

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[28] According to official government mining agency statistics, Cavichi exported 49 kg of gold, worth an estimated $1.7 million, in 2015.

Cavichi SARL, was fraudulently exporting exponentially more than it was reporting.

152. The Group obtained documents showing that, on 17 January 2016, Cavichi declared to the Rwandan customs authorities the export of 79 kg of gold from the Democratic Republic of the Congo to Dubai, and 61 kg on 14 February 2016, again from the Democratic Republic of the Congo to Dubai, with both shipments transiting through Rwanda (see annex 48). According to the national regulatory service responsible for the taxation of gold exports, Cavichi declared that it had exported no gold at all in January or February 2016.

153. This underreporting of gold exports is systematic. During a three-week period in November 2015, Cavichi declared an export from the Democratic Republic of the Congo of 270 kg of gold in Rwandan transit declaration forms. This is more than the total volume of gold officially exported from South Kivu by all exporters in 2014 and 2015 combined. On the Democratic Republic of the Congo side, official government statistics show no declarations by Cavichi that month.

154. The Rwandan transit declaration forms from 17 January and 14 February 2016 are accompanied by a number of fraudulent declarations, supposedly from Congolese national and provincial government agencies, such as customs authorities, the Central Bank, the Provincial Division of Mines and the Centre for Evaluation, Expert Analysis and Certification of Precious and Semi-Precious Minerals. They purport to indicate that Cavichi has paid the appropriate fees and taxes for the gold export. They have all been falsified (see annex 49). For example, in the case of documents bearing the Centre's stamp of approval, the supposed signatory is the former director of the Centre's office for South Kivu, who was transferred to another province in November 2015, and who told the Group that he had signed no documents for South Kivu since that date.

155. This fraud also involves a falsified International Conference on the Great Lakes Region export certificate. The certificate is meant to provide turnkey assurance to downstream buyers that the gold and other minerals that they are purchasing from the Democratic Republic of the Congo and neighbouring countries are not benefiting armed groups and are compliant with such external regulatory regimes as section 1502 of the United States Dodd-Frank Wall Street Reform and Consumer Protection Act, and the OECD Due Diligence Guidance. The falsification and fraudulent issuance of such certificates expose downstream buyers to potential legal repercussions for not having undertaken sufficient due diligence. This underscores the advisability for downstream buyers to perform their own due diligence rather than depend solely on outsourcing to third-party traceability or certification systems.[29]

4. Gold export to foreign countries

156. In 2015, the Democratic Republic of the Congo officially produced 548.43 kg of gold from artisanal and small-scale mining. It exported 253.98 kg.[30] The Group

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[29] The Group sent a letter to Cavichi SARL in April 2016 regarding its underdeclaration of exports. In its response, Cavichi SARL denied any underdeclaration and stressed its compliance with national export regulations.

[30] Statistics provided by the Commission interministérielle d'harmonisation et de consolidation des statistiques.

requested information from the Government regarding the amount that was produced and exported from the eastern part of the country, but has not yet received a satisfactory response.

157. As previously reported (see S/2015/19, para. 191), the Group does not believe that the export statistics are accurate, given that significant volumes are smuggled through neighbouring countries. Early in 2015, the Group discussed the matter with a senior mining official of a neighbouring country, who admitted that gold was being smuggled into that country. He pointed out that that was difficult to avoid, given that the border was porous, and there was no functioning traceability system for gold.

158. The Group notes that the amount of gold exported from the Democratic Republic of the Congo and neighbouring countries to Dubai is significantly underreported (see annex 50). Import figures reported by Dubai are considerably higher. For the Democratic Republic of the Congo alone, the discrepancy between the official export statistics and the Dubai import statistics was more than 550 kg in 2015; for Burundi, the difference was almost 3 metric tons in 2015; and for Uganda, the difference was over 900 kg in 2014.[31] The Group could not compare the 2015 statistics owing to the lack of response from the Government of Uganda to the Group's request for information. The Group notes with concern this lack of collaboration given that there continues to be credible information about the smuggling of gold from the Democratic Republic of the Congo to Uganda (see annex 51).

Gold export to Bujumbura

159. The mining authorities in Bukavu and Uvira told the Group that gold from South Kivu continued to be smuggled to Bujumbura for export, which is consistent with the Group's findings in previous reports (see S/2011/738, para. 537, S/2012/843, paras. 188-189, and S/2014/42, para. 189).

160. In March 2016, the Ministry of Mines of Burundi informed the Group that five gold exporters had been operating in Burundi since the beginning of 2015, exporting a total of 411 kg of gold (see annex 52). The biggest exporter was Amigo Mineral Export, which exported more than 50 per cent of the total exports in 2015.

161. Two mineral traders in Bujumbura, a Bujumbura-based civil society organization, two Bukavu-based gold brokers and an Amigo employee told the Group that Amigo purchased gold from traders based in the Democratic Republic of the Congo. A Bukavu-based *négociant*, Bagalwa Buganda Joseph, was cited the most often.

162. The same sources told the Group that, contrary to former practice, Bukavu smugglers were coming less often to Bujumbura in order to avoid suspicion. Instead, they transfer the gold at or near the border with Burundi. In March 2016, the Group requested a list of Amigo suppliers, but has not yet received a response.

163. Two Bujumbura-based businesspeople involved in the mineral sector and a senior official of the Burundian intelligence agency told the Group that Burundian

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[31] In 2014, the Government of Uganda told the Group that it exported only 14 kg of gold.

gold exporters, including Amigo, declared far less than they in fact export.[32] A customs clearance official and two Burundian border police officers confirmed that to the Group. Two Burundian border police officers told the Group that they sometimes receive instructions from their hierarchy not to check the bags of gold exporters.

164. The same sources told the Group that, after selling the gold in Dubai, Amigo agents typically returned to Bujumbura with the cash proceeds. The Group found that the alleged owner of Amigo, Samuel Nzigoyumuryango, was also the owner of a foreign currency exchange office in Bujumbura, called Better Forex Bureau, which could be used to launder the illicit financial flow from the sale of gold in Dubai. In March 2016, the Group requested information from Amigo about how payments from its gold sales in Dubai were brought back to Burundi, but has not yet received a response.

Gold export to Dubai

165. The Group welcomes the steps taken by the Government of the United Arab Emirates to facilitate the work of the Group in its gold-related investigations, including the designation of the executive office of the committee for goods and materials subject to import and export control as an interlocutor.

166. Much of the small-scale and artisanally sourced gold in the Democratic Republic of the Congo and neighbouring countries is sold in Dubai. The Group made an official visit to Dubai in March 2016 and discussed hand-carry gold importation with relevant stakeholders. The Group found that the regulations on the issue still contained many loopholes, which made it possible for a smuggler to launder gold into the Dubai market, as previously reported (see S/2015/19, paras. 210-215). Two Dubai-based businesspeople operating out of the gold souk told the Group that in 2015 they had assisted gold sellers from the Democratic Republic of the Congo who had no connection with an officially recognized *comptoir* in that country. This is forbidden by Congolese legislation, but is still possible in the Dubai gold market.

167. The authorities of the United Arab Emirates told the Group that they were working on a plan to require jewellers to systematically declare their operations to a central authority. The plan would also require Dubai traders to record the origin of a buyer's funds if their purchases were to exceed a certain amount. The Group believes that the measures would be a positive step towards decreasing gold-related illicit financial flows. Dubai-based jewelers and traders are the main recipients of illegally trafficked gold from artisanal and small-scale mines from Congolese traders. The latter generally use the sums generated by the sale of gold to purchase goods abroad for importation and resale in the Democratic Republic of the Congo.

168. In addition, the Group requests the Government of the United Arab Emirates to consider measures to address these challenges linked to gold-related illicit financial flows, such as those laid out in annex 53.

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[32] The same sources explained that, during the tenure of the late Adolphe Nshimirimana (see S/2009/603, paras. 87 and 149) as the director of the intelligence agency, the latter was receiving money from gold exporters in return for his protecting them from prosecution for their illegal export practices.

B. Ivory

169. Elephant poaching and ivory trafficking remain a catastrophic threat to pachyderm survival in the Democratic Republic of the Congo. According to the Congolese Institute for Nature Conservation and international elephant conservation organizations, elephant numbers have declined by at least 75 per cent since 1996. However, while elephant poaching and ivory trafficking have contributed to the financing of armed groups, such as Mai Mai Morgan in the Okapi Wildlife Reserve (see S/2014/42, paras. 64-67, and S/2012/843, paras. 128-132), the widespread disappearance of elephant populations has made it an ever-diminishing and increasingly marginal source of armed group financing, especially in comparison with other resources found in the eastern Democratic Republic of the Congo, such as gold, tin, tantalum and tungsten.[33] The one remaining armed group that benefits significantly from ivory poaching in the country is the LRA.

170. The Group chose to focus its investigations on ivory poaching in Garamba National Park, Haut-Uélé province, because it is home to the most significant viable elephant population remaining in the country, with some 1,000 elephants, and the LRA ivory poaching units are concentrated there. Poaching has been the cause of the precipitous decline in the Park's elephant population (see S/2015/19, paras. 217-223, and S/2014/42, paras. 226-233).

171. In 2015, the Park lost at least 114 elephants in known poaching incidents, compared with at least 132 killed in 2014.[34] Eight park guards and/or FARDC soldiers were killed by poachers in 2015.[35]

Lord's Resistance Army involvement in the supply chain from the Garamba National Park to the Sudan

172. Two former LRA combatants, three former LRA dependants and multiple FARDC and MONUSCO sources told the Group that LRA (see paras. 70-74) has a unit dedicated to poaching in the Garamba National Park and the surrounding hunting reserves, with all the witnesses confirming that the unit was commanded by a young Ugandan called Aligatch. The unit, made up of around 30 combatants, is permanently based in the Democratic Republic of the Congo. It operates in small, decentralized poaching teams, with a regular rotation of personnel between LRA units in the Central African Republic and the disputed, Sudan-controlled Kafia Kingi region between the Sudan and South Sudan. One former combatant, who served as a member of the poaching unit under Aligatch, and two LRA dependants told the Group how a second LRA unit (made up of around 11 LRA elements, under

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[33] Seizures of ivory continue in the Democratic Republic of the Congo and neighbouring countries. According to the Congolese Institute for Nature Conservation, more than 800 kg of ivory have been seized in Kinshasa alone since 2013. However, ivory seizures do not necessarily indicate the scale of current poaching, given that traders maintain ivory stockpiles, releasing the ivory according to market demand.

[34] Systematic record-keeping of elephant poaching incidents was initiated only at the end of March 2014.

[35] To encourage population growth, or to at least halt the decline, it is estimated that the annual attrition rate needs to be less than 50 elephants. Currently, the Garamba National Park has 120 park guards, with a further 60 FARDC soldiers stationed on-site and serving in joint patrols with the guards. The Park management estimates that between 300 and 400 is an absolute minimum number of guards and soldiers.

the command of Rigadi) was tasked with the transport of ivory, from drop-off points in the Democratic Republic of the Congo, overland through the Central African Republic and to the Kony camp in Kafia Kingi.

173. Three witnesses, who were dependants of Joseph Kony's bodyguards based at the Kony camp, described to the Group how they regularly saw deliveries of large quantities of ivory to the Kony camp in 2015. That ivory was then transported by Kony bodyguards to another camp. Their partners told them that the other camp was approximately two days' walk away, was tightly guarded and existed for the storage of ivory. LRA elements who were involved in the transport of ivory to the camp and who were not Kony's personal bodyguards would immediately be rotated to other units far from Kafia Kingi. The ivory was stockpiled in sacks, which were then placed in shipping-container-sized ditches and buried in sand, covered by thatch roofing.

174. A former combatant, who served for seven years as personal assistant to Joseph Kony, told the Group how stocks of ivory (as well as gold and diamonds looted from the Central African Republic) were regularly traded in the Kafia Kingi region. It would happen at a remote location far from the Kony camp. While Kony himself made a point of never meeting traders, his most trusted bodyguards would trade ivory, gold and diamonds on a twice-monthly basis with Arabic-speaking armed groups, numbering around 30 elements and mounted on camels, wearing a mix of military uniforms, in exchange for weapons, munitions, uniforms and food.

175. The same witness told the Group that ivory would also be traded, but much less frequently, with what he called Ouda[36] (who did not wear military uniforms) for payments in United States dollars. According to Kony's former personal assistant, the LRA ivory was graded according to 25 different pricing categories relating to weight, size and quality. It was apparently Kony's policy to reserve the heaviest, and thus most valuable, pieces, whether for later sale to another buyer or as a cache for future contingencies.

176. The lack of any confirmed cases of LRA poaching in Garamba National Park over the last six months of 2015 led to speculation that LRA might be shifting its primary activity in the Democratic Republic of the Congo from elephant poaching to other forms of natural resource exploitation. However, with the onset of the rainy season in March, the period usually associated with LRA activity, there has been an upsurge in poaching incidents, with 16 elephants killed over two weeks in March 2016 (compared with 5 in February), which may be attributable to LRA.[37]

177. On 30 March 2016, elements from the FARDC rapid intervention force stationed in Garamba National Park clashed with at least seven poachers, recovering Kalashnikov-pattern rifles and equipment suggesting a Sudanese origin (see annex 54). They observed that some of those among the poachers had braided hair, which is typical of LRA combatants.

178. Incidents early in 2016 indicate that LRA continues to focus on poaching and ivory trafficking in the Garamba National Park. The Group believes that the downstream ivory trafficking route from the Sudan-controlled enclave of Kafia

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[36] The Ouda are a subclan of the nomadic Mbororo.

[37] FARDC sources have told the Group that the LRA units based in the vicinity of the Park and the hunting reserves are now working with other larger Sudanese poaching groups and offering their services as guides.

Kingi, after the bartering of tusks to Arabic-speaking and uniformed armed groups, should be further investigated.

Other groups involved in poaching

179. While LRA is the principal armed group focused on ivory acquisition, multiple other groups are engaged in poaching elephants in the Garamba National Park. The Park authorities consider one of the greatest threats to be groups of armed poachers from South Sudan. While South Sudanese military and police uniforms have been retrieved following clashes with poachers, it remains unclear whether these belonged to regular SPLA or South Sudanese police units, or deserters, or had simply been acquired as easily obtainable clothing (see annex 54). Given the flux in authority across the border and the wide availability of weapons, it is likely that this will remain a very significant threat to the Park's elephant population.

180. Some of the poaching in the Garamba National Park is carried out by the local population, Mbororo nomadic herders and, according to civil society, Park and FARDC sources, some ill-disciplined elements of FARDC, mainly those based in the southern part of the Park (see S/2015/19, para. 220, and S/2014/42, paras. 229-230).

181. As previously reported by the Group, elephant poaching has also been carried out from helicopters (see S/2015/19, para. 223, and S/2014/42, para. 232). In 2015, the most significant incident of helicopter poaching was the slaughter of eight elephants on 21 August. Subsequently, the park management publicized and implemented a policy that park guards should open fire on helicopters flying below 3,000 feet that had not given prior notification to the park authorities of their intention to fly over the Park. There have been no further cases of helicopter poaching.

VI. Violations of international humanitarian law

182. Since the beginning of the killings in Beni territory in September 2014, no armed group has taken responsibility for the hundreds of civilian deaths. With the status of ADF unclear after the fall of its main base, Madina, in April 2014, questions arose as to the possibility of other groups operating in the area. In its two most recent reports (S/2015/19 and S/2015/797), the Group determined that, while in some cases the killings were perpetrated by ADF, in other cases, it was not possible to ascribe responsibility. Following its most recent investigations, the Group can provide a clearer picture of the situation (see paras. 51-69).

183. The Group also investigated the killings in Miriki in Lubero territory on the night of 6 and 7 January 2016. The attack raised concerns about the rising tensions between the ethnic Hutu and Nande communities in the area.

184. During the period under review, armed groups continued to recruit children. According to the MONUSCO Child Protection Section, 863 children were released from armed groups between 1 September 2015 and 31 March 2016. The vast majority of the children were released from FDLR (116); 15 were released from NDC-R and 9 from ADF.

A. Attacks on civilians in Beni territory

185. Since the Group's previous report (S/2015/797), killings of civilians have continued in Beni territory. Civil society sources involved in the investigations estimate that at least 550 civilians have been killed since September 2014 (see annex 55). After interviewing 92 witnesses, 23 former ADF combatants (including 2 who participated in killings), four active ADF combatants, three ADF collaborators and former leaders of armed groups that operated in Beni territory, the Group concludes that there is more than one group involved in the killings: various ADF factions, a group of Kinyarwanda-speakers who crossed into the area from Uganda and from Rutshuru territory and local militias involved in land and leadership disputes. The Group also found that FARDC officers played a role in supporting some of the armed groups.

186. Survivors provided relevant information on patterns, such as the languages spoken by the perpetrators and whether they included only men, or also women and children. In none of the cases investigated by the Group, however, were the witnesses able to identify which armed group was responsible. This can be partially explained by the confusion that the attacks generated, including the fact that most of the groups in the area have been using the name ADF. To determine those responsible for the killings, the Group accorded priority to attempts to meet directly those who had participated in or had been recruited for the killings.

187. Killings of civilian with machetes and similar bladed weapons have continued. Three such incidents in which the victims were decapitated were reported since September 2015. The Group notes, however, that firearms have also been used. In some cases, the perpetrators were wearing military uniforms; in others, they had a mix of military and civilian clothing. Witnesses reported that the perpetrators spoke Swahili (with both local and foreign accents), Kinyarwanda, Kiganda and, in some cases, Lingala.

Former Allied Democratic Forces-Mukulu group

188. For more than a decade, ADF under the leadership of Jamil Mukulu did not carry out mass killings. Having built strong relationships over the years with the local population between Oicha and Eringeti, ADF primarily conducted targeted attacks against those who were thought to be providing information about them or who did not respect business arrangements.

189. Based on its investigations, however, the Group concludes that the ADF factions operating in the area between Eringeti, Kainama, Kamango and Oicha (see annex 27) are those primarily responsible for the killings.

190. As previously reported (see S/2015/797, para. 92), survivors of some of the attacks claimed that the perpetrators were speaking Kinyarwanda; this corresponds with reports from ADF elements of an influx of Kinyarwanda-speaking combatants who had joined them for some operations (see paras. 56 and 66). The Group believes that these men, women and children crossing from Uganda are also responsible for some of the attacks.

191. One example was the attack on 29 November 2015 by armed men, women and children on the town of Eringeti, which targeted the FARDC camp, the MONUSCO base and other buildings in the town, such as the hospital, the police station and

some shops (see annex 56). Seven civilians were killed, including medical personnel. The Group interviewed 10 witnesses, including medical personnel present at the hospital during the attack, who confirmed that some of the assailants spoke Kinyarwanda and foreign-accented Swahili.

192. The Group interviewed two ex-combatants who took part in the assault and who admitted they were elements of ADF. Based on their explanations and the bases from which they operated, the Group determined that both of them were part of the Abialose mobile group (see paras. 63-64). Both combatants also told the Group that they had been joined for the attack by Kinyarwanda speakers, whom they understood to have crossed from Uganda. Although they said the main objective of the attack had been to resupply weapons, ammunition and medicine, they also entered the hospital hours after the initial attack, burning the health centre and killing medical personnel and patients.

ADF-Mwalika

193. In 2006, the year that the Armée patriotique congolaise (APC), the armed wing of the Rassemblement congolais pour la démocratie-Kisangani, Mouvement de libération, demobilized and integrated its armed elements into FARDC, hundreds of combatants were also sent to the forest near Mwalika by their leaders, Antipas Mbusa Nyamwisi and sanctioned individual General Frank Kakolele.[38] The composition of the group included elements from other local armed groups. This group called itself ADF and had interactions with ADF of Mukulu, but operated apart and had a separate chain of command.

194. A senior ADF-Mwalika cadre, three ADF-Mwalika combatants and a former APC element told the Group that at least some combatants from the group had participated in the killings. The same sources and two ADF collaborators confirmed that, just as the other ADF group mentioned above, they had been joined by Kinyarwanda-speaking men, women and children who came from Rutshuru territory or crossed over from Uganda. They said that the two groups operated together for some of the killings. According to several of the ex-combatants, approximately two dozen ADF-Mwalika combatants left the group when they realized the connection to the killings. This is consistent with other evidence obtained by the Group that the involvement of ADF-Mwalika was primarily in late 2014 and the first half of 2015.

Local militias

195. A total of 15 individuals, including 4 local chiefs and ADF elements, told the Group that local conflicts had played an important role in the killings in Beni territory. The conflicts over land and leadership have led to the creation of local militias, and some local leaders have also established links with various ADF factions to bolster their position. The evidence also shows that some FARDC officers have played a role in the killings by supporting the local groups.

196. For example, the local authorities confirmed that a local chief, André Mbonguma Kitobi, had his own militia because of a conflict with ICCN. An ADF-Mwalika cadre and an FARDC general said that Mr. Mbonguma's group had a strong connection with ADF-Mwalika. This was in part due to a long-standing relationship between Mr. Mbonguma and some former APC elements in ADF-

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[38] According to numerous sources, neither man commanded these combatants after 2011.

Mwalika, but also because the armed group operated within his territory in Mayangose (see annex 27).

197. Numerous local authorities and associates of Mr. Mbonguma told the Group that he had had a conflict with another local chief, Bambiti. On 15 October 2014, 31 civilians, including Mr. Bambiti, were killed in the village of Ngadi by armed men. Many sources told the Group that Mr. Mbonguma's militia was responsible for the attack, and FARDC arrested Mr. Mbonguma in November 2014, but the Group could not determine his exact role in the attack (see annex 57).

Support of some Congolese military officers to armed groups

198. In its previous report (see S/2015/797, paras. 93-97), the Group concluded that the leadership of Operation Sukola I had failed to protect civilians, especially in cases in which survivors of killings had requested assistance from FARDC immediately after an incident. Although the number of killings has decreased since the transfer of Brigadier General Muhindo Akili Mundos in June 2015, the killings of civilians by armed elements continued throughout 2015 and early 2016. The Group is aware that a senior government official replied to the Group's findings by pointing out the successes of the FARDC operations, including the destruction of ADF camps such as Madina.

199. The Group now has evidence that some FARDC officers played a more direct role in the insecurity. Two ADF cadres, four ADF combatants, two combatants recruited for the massacres, two ADF collaborators, three senior FARDC officers, a former Mai Mai combatant and two local chiefs told the Group that some FARDC officers were involved in supporting the armed groups committing the killings. The Group also spoke with members of Congolese government security services, including police and intelligence agencies, who confirmed the information.

200. For example, an ADF cadre, a former Mai Mai cadre, two FARDC officers and a local chief in Beni said that an FARDC colonel, Katachanzu Hangi, supplied ADF with ammunition, uniforms and food. One of the sources told the Group Colonel Katachanzu had provided the details of the FARDC position in Eringeti to ADF so that they could seize the soldiers' weapons when they attacked the town on 29 November 2015.

201. The Group knows of eight individuals who were approached in 2014 by General Mundos to participate in the killings. Three ADF-Mwalika elements told the Group that, months before the killings began in September 2014, General Mundos had persuaded some elements of their group to merge with other elements who had been recruited. According to them, he financed and equipped the group with weapons, ammunition and FARDC uniforms. He came to their camp several times, sometimes wearing an FARDC uniform and sometimes in civilian clothes.

202. Although it is unclear whether they initially knew the objective, the three ADF-Mwalika elements were eventually ordered to kill civilians.[39] The group later received reinforcements from Kinyarwanda speakers coming from Rutshuru territory and from Uganda. One of them confirmed to the Group that it was not only the Kinyarwanda speakers who were involved in the killings, but also some elements of ADF-Mwalika. One provided two names of elements from the group

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[39] One of them said that they had been told that they were about to kill people, but they did not know who.

who were involved in the killings. Some of the elements were among the 23 who told the Group that they had left ADF-Mwalika upon realizing they were being used to kill civilians.

203. A former Mai Mai combatant also told the Group that he had been recruited by General Mundos. He said that the general had met him and explained that a training camp was being prepared in Mayangose in the coming weeks.[40]

204. The Group met General Mundos and informed him of the evidence regarding his involvement, but he denied being involved in recruiting individuals for the killings. He stated that ADF was a jihadist armed group responsible for the killings of civilians in Beni territory.

Arrest and release of individuals involved in the killings

205. Despite the arrest of dozens of individuals accused of supporting ADF, the Group notes with concern the lack of progress made by the judicial authorities in ensuring that the individuals behind the killings are prosecuted. As previously reported by the Group, alleged perpetrators of killings have been arrested by FARDC elements without then being brought before the judicial authorities (see S/2015/797, para. 96).

206. According to two ex-combatants recruited to commit massacres, if a perpetrator involved in the killings were captured by the authorities, particular FARDC officers would arrange for their release from FARDC detention cells.[41] In addition to these sources, an ADF-Mwalika cadre and an FARDC intelligence officer told the Group that FARDC major Kapelo was one of the officers charged with that task. An ex-combatant said he was aware of other cases in which an FARDC officer had released alleged perpetrators of massacres who had been captured. An ADF cadre and a former FARDC major also confirmed that, when alleged perpetrators were captured, they were generally released.

207. The Group investigated several cases in which alleged ADF perpetrators had been arrested and later released. The Group could not determine the exact reason for their release and therefore could not confirm whether it was due to collaboration by FARDC with ADF.

Recruitment

208. In August 2014, an individual named Adrian Muhumuza, admitting he was an ADF recruiter, surrendered to MONUSCO just before the killings began.[42] During the course of its mandate, the Group interviewed 18 individuals who positively identified Mr. Muhumuza. Some of them confirmed he was in ADF; others said he was connected to ADF.

209. The Group interviewed two ex-combatants who said they had been recruited by Mr. Muhumuza in 2014 to join an armed group. One of them met Mr. Muhumuza together with an FARDC colonel and was asked to find other recruits who would not ask too many questions. According to the ex-combatant, they said that

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[40] Mayangose is the territory of Mr. Mbonguma and also where ADF-Mwalika operates.

[41] One of the individuals provided a name of a major and the other the names of four colonels.

[42] Mr. Muhumuza had previously been arrested in Uganda for recruiting on behalf of David Lusenge (see S/2013/433, para. 65).

ammunition would be provided by FARDC. Mr. Muhumuza also asked an ADF cadre in 2013 to join a new armed group that would also be called "ADF".[43]

210. According to eight individuals, including two FARDC officers, while Mr. Muhumuza was recruiting for ADF, he was also a lieutenant colonel in FARDC, working for an FARDC colonel from the National Security Council.[44] The Group wrote to the Government of the Democratic Republic of the Congo and contacted the Council about Mr. Muhumuza, but could not confirm his status. The Group also endeavoured to contact Mr. Muhumuza through FARDC officers and alleged associates, but could not reach him.

211. Despite a better understanding of the armed groups operating in Beni territory, questions remain. The involvement of local militias in some of the killings is now clear, but the killings continued after many of the important local actors believed to be involved had been arrested between November 2014 and February 2015. The motivations of the various ADF groups remain unclear, as does the reason for the arrival of Kinyarwanda speakers.

212. Many individuals, including within the Government of the Democratic Republic of the Congo, still maintain that ADF has links with foreign terrorist groups and that it is massacring civilians as part of its new strategy. There is no evidence to that effect, however (see S/2015/19, para. 7, and S/2015/797, para. 21). Although armed groups and local militias were involved in the killings, it has become clear that FARDC officers were involved in recruiting and supplying armed groups involved in the killings.[45] In any subsequent investigation, the connection between the armed groups and militias involved in the killings and certain FARDC officers should continue to be scrutinized.

213. The Group shared its findings with the Government of the Democratic Republic of the Congo, but had not received an official response as of the time of writing of the present report. A high-level official requested a meeting to discuss the findings before the publication of the report, but none of the issues raised have been answered.

B. Inter-community tensions in south Lubero

214. After the successful NDC-R and UPDI operations against FDLR (see para. 75), tensions rose between ethnic Hutu and Nande communities in southern Lubero and western Rutshuru territory. Although those tensions were already latent during the FDLR occupation, the security vacuum left by the non-deployment of FARDC in areas after the fighting allowed for a surge of inter-community violence in late 2015 and early 2016. The Group investigated two incidents in particular: the

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[43] The same ADF cadre and two ex-combatants told the group that Mr. Muhumuza was also involved in the kidnappings in Beni.

[44] For instance, according to an ADF element, Mr. Muhumuza was seen in the ADF Makoyoba II camp, west of Madina, on several occasions in 2013. In some cases, he arrived with other ADF personnel; in others, he came with FARDC officers. The same ADF cadre later joined FARDC in 2014 and said that he saw Mr. Muhumuza on at least three occasions wearing an FARDC uniform with the rank of lieutenant colonel. He also recognized, in the military base in Beni, two of the same FARDC officers who had been with Mr. Muhumuza at the ADF camp a year before.

[45] Other investigations, including that conducted by the Joint Human Rights Office of MONUSCO in May 2015, concluded that FARDC elements that had been involved in the killings.

burning of the town of Buleusa on 29 November 2015 and the killing of 18 civilians in Miriki on the night of 6 to 7 January 2016. The Group could not determine beyond reasonable doubt, however, who was responsible for each incident.

215. In November and early December 2015, villages formerly occupied by FDLR, such as Bukumbirwa and Buleusa, were burned (see annex 58), and ethnic Hutu (Banyabwisha) civilians fled their villages along the Bukumbirwa-Miriki road.

216. On the night of 6 to 7 January 2016, the families of two Nande customary chiefs were killed in Miriki, approximately 1 km from an FARDC camp and a MONUSCO base, and directly in front of the house of the Miriki police commander. In the weeks that followed, civilians from both communities were targeted by armed groups, each community claiming that the other was responsible.

217. The tension also led to the rise of community self-defence groups. While UPDI leaders were positioned in Irameso with NDC-R, for example, a part of the movement remained in Miriki, renaming itself Mazembe. Combatants in the group had few weapons and little ammunition, but were joined by many Nande young people in response to the power vacuum and inter-community tensions.

218. The Group notes that the violence along ethnic lines was partially encouraged by politicians on both sides. For example, the Group obtained the recording of a speech given on 12 February 2016 by a Nande national parliamentarian, Venant Tshipasa, in Miriki. It included the lines: "We have a single enemy, and that is the Hutu" (see annex 59).

VII. Arms

219. During its mandate, the Group inspected weapons, ammunition, anti-tank mines and explosive material from a range of armed groups, including ADF, Tabara and M23. While the majority of the weapons and ammunition were old or already known to be in circulation in the region, the Group initiated tracing requests for newer models and the explosives. Overall, the Group found few cases of arms smuggled from outside the country, most likely because weapons are readily available in the eastern Democratic Republic of the Congo. The most significant finding was related to the origin of explosive material used by ADF for its improvised explosive devices.

220. The Group notes positive developments in both weapons marking and storage, with several projects being implemented in 2015 and early 2016. The Group also welcomes efforts by the Congolese security services to prosecute those who divert weapons and ammunition from government stocks. As demonstrated by investigations during the same period, however, challenges remain.

221. The Group also found that pistols with characteristics similar to those produced in the Democratic People's Republic of Korea were issued to some members of FARDC and to Congolese national police officers who were deployed to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic.

Allied Democratic Forces improvised explosive devices

222. The Group previously documented that ADF had the capacity to build and effectively deploy improvised explosive devices (see S/2014/428, para. 20, and S/2015/19, paras. 39-40). During its current mandate, the Group inspected five additional devices recovered by FARDC in three separate incidents in Beni territory. Two of the devices had been made with a water-based explosive gel in a cooking pot, similar to those previously recovered, and three with mortar grenades containing a yellow fertilizer-based explosive powder (see annex 60).

223. While the Group could not confirm the origin of the electronic detonators, which were all of the same model,[46] it did find that the water-based explosive was Explogel V6, which is produced in South Africa and generally used for commercial mining activities. The Group found that the explosive had initially been sold legally to companies in the United Republic of Tanzania, Zambia and Zimbabwe, but then entered the black market in the United Republic of Tanzania, where it had been purchased by ADF collaborators and transferred to ADF in the Democratic Republic of the Congo (see annex 61).

224. The Group also found that the same Explogel V6 had been seized by the Tanzanian authorities in the Dar es Salaam house of Sebaduka Matovu Mark, another known ADF collaborator and close associate of the ADF leader and sanctioned individual, Jamil Mukulu. Both men were arrested in March 2015 in the United Republic of Tanzania and extradited to Uganda in July 2015 (see annex 62).

Tracing the route of Explogel V6 to the Allied Democratic Forces in Beni territory

225. The Group documented the legal sale between July 2014 and December 2015 of 31,797 cases of Explogel V6 from the manufacturer, SASOL Ltd., in South Africa, to three companies, 4,800 cases of which were then sold to Mbogo Mining, owned by Barnabas Nibengo, in the United Republic of Tanzania.[47]

226. The Group notes that while explosive material such as Explogel V6 has multiple legitimate uses in mining and construction, it is also used for illicit purposes such as fishing. The legal sourcing of such materials is subject to cumbersome licensing, as the product must be stored in optimal conditions to ensure safety and could also be used as a weapon. As a result of the extensive illicit use of the product, the legal market coexists with a sizeable black market.[48] The Group is aware of multiple seizures by the Tanzanian security services of such explosive material that had been sold illegally by Mbogo Mining, which is under investigation by Tanzanian authorities.[49]

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[46] Despite various verification efforts, including through government databases and with the help of explosive material experts, the origin of this model of electronic detonator could not be identified.

[47] SASOL cooperated fully with the Group's investigation and had all necessary import/export documents and licences, thereby complying with relevant rules and export requirements. The Group has no indication of any wrongdoing on the part of the company.

[48] The official market price of a 25 kg case is approximately $80, but cases can be sold for three to four times that amount on the black market.

[49] Mbogo Mining is the only buyer of Explogel V6 in the United Republic of Tanzania. SASOL told the Group that it had discontinued sales of Explogel V6 to the company, because it had failed to produce the necessary documentation of onward sale to approved buyers of the previously delivered explosive material.

227. An ADF cadre cited both Rutha Kamemba Flavien and Stella Yezere as the two individuals responsible for the acquisition by ADF of explosive material in the United Republic of Tanzania and transfer to ADF in Beni territory. The same information was confirmed by an associate of Mr. Mukulu and Mr. Matovu during the investigation carried out by the Tanzanian authorities after their arrest. Two other ADF cadres told the Group that they knew Ms. Yezere and had seen her at the ADF camp in Madina before its capture by FARDC in 2014.

228. The Group requested information from Mbogo Mining about its sale of Explogel V6 in a letter of April 2016 and awaits its response.

Diversion of materiel from military stocks

229. As previously reported by the Group (see S/2015/797, para. 46), some individuals within FARDC continue to divert materiel for sale on the black market and to armed groups. The Group interviewed four FARDC elements from four cases being heard by the military court in which they stood accused of stealing arms, ammunition and uniforms from the Goma military logistics base (see annex 63). The Group also interviewed a civilian accused of attempting to smuggle stolen materiel from FARDC stocks in Goma across the border into Gisenyi, Rwanda. The Group received various other reports of supplies being transferred to armed groups, but the incidents remain under investigation.

Pistols with characteristics similar to those manufactured in the Democratic People's Republic of Korea

230. The Group found that several FARDC officers in the Democratic Republic of the Congo and the Congolese national police officers in the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic used pistols with characteristics similar to those manufactured in the Democratic People's Republic of Korea (see annex 64). Three FARDC officers told the Group that they had been delivered to the Congolese port of Matadi early in 2014 and that they came with training of Congolese presidential guards and special police forces by 30 instructors from the Democratic People's Republic of Korea. The Group also found that the same type of pistol was available for sale on the black market in Kinshasa.

231. In letters dated March 2016, the Group requested information from the Democratic People's Republic of Korea and the Democratic Republic of the Congo about this delivery and training, but had not received a response as of the time of writing of the present report. Neither the delivery of the weapons nor the training was reported to the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo as required by the sanctions regime. In addition, the training violated paragraph 9 of resolution 1874 (2009), under which the Democratic People's Republic of Korea is required to cease all export of arms and related materiel, as well as technical training.

Weapons marking and training programmes

232. The Group notes that a three-month pilot project to mark government-owned small arms and light weapons held at the Kinshasa garrison was launched early in January 2016. Commissioned by the Conflict Stabilization and Security Fund of the United Kingdom of Great Britain and Northern Ireland and implemented by the

Mines Advisory Group, the project marked some 7,000 small arms and light weapons at numerous storage sites in Kinshasa. The project assisted stakeholders in designing a nationwide marking programme, which used the standards set out by the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa (see annex 65).

233. The National Commission for the Control of Small Arms and Light Weapons informed the group that the estimated number of FARDC small arms and light weapons was 300,000, with some 50,000 in Kinshasa alone. During a pilot marking programme conducted in Bunia, Ituri province (see S/2015/797, para. 108), 550 of the 1,000 weapons collected during a national disarmament programme were marked; the remaining 450 were assessed as unserviceable and subsequently destroyed.

Mouvement du 23 mars weaponry and ammunition

234. As previously reported by the Group (see S/2014/42, box 2), weapons and ammunition from M23 combatants were seized by the Governments of Uganda and Rwanda in November 2013. As of April 2016, only those items seized in Uganda had been transferred to the authorities in the Democratic Republic of the Congo.[50]

235. The Group inspected the materiel in Goma in May 2015 and found that poor storage conditions had resulted in the deterioration of ammunition and the rusting of mortar grenades. Many of the rocket-propelled grenades no longer had security pins, the ammunition was together with the weapons, and the facility itself was not sufficiently secured.

236. The Group began tracing some of the newer weapons that had characteristics similar to those produced in Belgium, Bulgaria, Germany, Poland, Serbia and South Africa by sending official letters. As of April 2016, only Belgium had responded.

VIII. Recommendations

237. The Group makes the recommendations set out below.

Government of the Democratic Republic of the Congo

238. The Group recommends that the Government of the Democratic Republic of the Congo:

(a) Develop and implement refugee identification procedures that reduce the risk of FDLR combatants receiving refugee documents during the National Refugee Commission registration campaigns. Technical assistance could be requested from the Office of the United Nations High Commissioner for Refugees (see para. 14);

(b) Conduct thorough audits of *comptoirs* Caetano Victor Chibalonza (Cavichi SARL) and Glory Minerals (Glorym) and impose penalties as appropriate for the fraudulent underreporting of gold exports (see paras. 140-144 and 151-155);

(c) Investigate and prosecute as appropriate:

(i) Individuals and entities involved in the illegal trade and smuggling of natural resources (see paras. 144, 146 and 161);

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[50] The Government of Rwanda did, however, provide a list of the weapons that it had seized.

(ii) FARDC officers collaborating with armed groups (see paras. 80, 84 and 199-210);

(iii) Individuals responsible for violations of international humanitarian law (see paras. 188-204);

(iv) Individuals, including those who are part of the Congolese military and police forces, who illegally sell or transfer arms, ammunition and explosive materials (see para. 229);

(d) Build the capacity of the appropriate security services, including border police and military intelligence officers, in identifying sensitive materiel such as explosive cartridges and detonators, including through trainings provided by private sector and United Nations entities, such as the United Nations Mine Action Service (see para. 227).

Government of Rwanda

239. The Group recommends that the Government of Rwanda present to the Committee its response to the Group's findings regarding military training of Burundian refugees in Rwanda (see paras. 46-50).

Government of the United Republic of Tanzania

240. The Group recommends that the Government of the United Republic of Tanzania:

(a) Investigate the financial interests of FDLR leaders and associates travelling or living in the United Republic of Tanzania (see paras. 19-22);

(b) Consider further strengthening its regulatory framework, including by updating its 1963 law relating to explosives. Technical assistance could be provided by the private sector and United Nations organizations, such as the United Nations Mine Action Service (see paras. 225-228). The Group acknowledges the positive steps taken in recent months by the Government of the United Republic of Tanzania to address the insufficiently regulated market relating to explosives;

(c) Investigate and prosecute, as appropriate, individuals involved in the illegal trade and transfer of explosive material (see paras. 225-228).

Governments of Burundi, Uganda and the United Arab Emirates

241. The Group recommends that the Governments of Burundi, Uganda and the United Arab Emirates report to the Committee twice a year on specific measures taken to stop gold exported illegally from the eastern Democratic Republic of the Congo from being trafficked and sold in their countries (see paras. 159-164 and 168 and annexes 51 and 53).

Security Council

242. The Group recommends that the Security Council consider revising the sanctions criteria in the forthcoming resolution with regard to the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo to include entities and individuals supporting armed groups or leaders and exacerbating State fragility through gold-related illicit financial flows or money laundering (see paras. 122-124).

Annex 1: Group of Experts' official communications

During its mandate, the Group addressed 81 official communications to Member States, international organizations and (including multiple communications to the same addressees).

The Group received responses from the Governments or government offices of Armenia, Belgium, the People's Republic of China, Kenya, Rwanda, Serbia, Tanzania, Turkey and the United Arab Emirates.

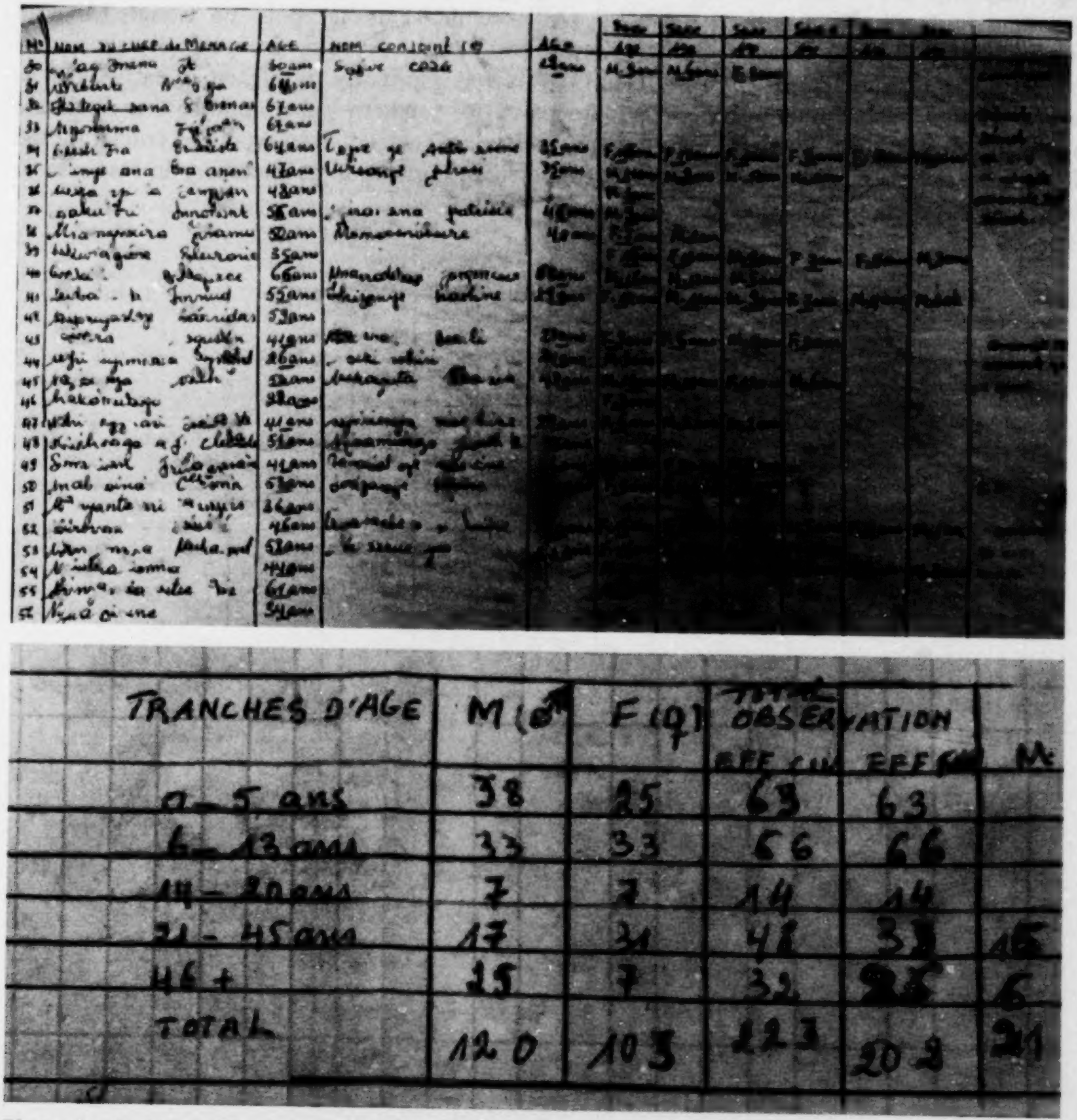
The Group did not receive responses from the Governments or government offices of Bulgaria, Burundi, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Pakistan, South Africa, Uganda, the United States and the United Kingdom.

The Group received responses from the following organizations and entities: the Department of Peacekeeping Operations, Ethiopian Airlines, FN Herstal S.A., the International Criminal Court, Intrachem, ITRI, Minerals Supply Africa Ltd., Sasol Ltd., Tigo, Vodacom and Western Union.

The Group did not receive responses from the following organizations and entities: Airtel, Amigo Mineral Export (AMEX), Cavichi SPRL, The Financial Action Task Force, Glory Minerals SPRL, Heckler & Koch, the International Conference on the Great Lakes Region, Muhirwa Minerals and Orange.

Annex 2: Self-demobilized FDLR in the DRC

Villages under FDLR control are closely monitored, as demonstrated by census documents. They include lists of each individual's name, age, sex, rank, unit and status as appropriate, as well as breakdowns of the number of civilians and combatants in each quarter. Some of the older men are listed as demobilized, demonstrating that additional military-trained men could be remobilized if necessary.



TRANCHES D'AGE	M (♂)	F (♀)	TOTAL OBSERVATION		
			EFF CIV	EFF	M
0 – 5 ans	38	25	63	63	
6 – 13 ans	33	33	66	66	
14 – 20 ans	7	7	14	14	
21 – 45 ans	17	31	48	33	15
46 +	25	7	32	26	6
TOTAL	120	103	223	202	21

Photos by the Group (December 2015) / names blurred to protect identities

Annex 3: FDLR alliances

The FDLR implements various tactics to secure itself within Congolese communities. This includes building relationships with local leaders, civil society, the police and other Congolese security services, as well as collaborating with Congolese armed groups as possible. These alliances include a whole spectrum of collaboration, from sharing intelligence and having non-aggression pacts to sharing weaponry and ammunition and coordinating operations. Internal documents show FDLR collaboration in North Kivu with the APCLS (Alliance des Patriotes pour un Congo Libre et Souverain) under "General" Janvier Buingo Karairi and various Nyatura groups in Rutshuru and Masisi Territory, such as that of "Colonel Domi." This was especially significant in early 2016 as military operations pushed many of the FDLR troops out of southern Lubero and eastern Walikale south into central Rutshuru, which is Domi's area of influence. Such alliances would be crucial for the FDLR to carry out its plan of blending in with the civilian population as necessary in response to operations against them.

Annex 4: FDLR FOCA military hierarchy

The FDLR's command and control capacities have been diminished by internal disputes and ongoing military pressure by the FARDC and Mai Mai groups. In 2015, "Lieutenant General" Mudacumura – long at odds with Interim President Iyamuremye – still has the strong allegiance of certain unit commanders, but according to other senior FDLR leaders, he is no longer the FOCA commander. Three of these leaders said there would be a meeting in mid-2016 to decide on the new commander.

The military structure can be broken down into the high command and general headquarters, the military training schools, a reserve subsector, and two operational sectors – one in North Kivu (SONOKI or Apollo) and one in South Kivu (SOSOKI or Colombia). Each operational sector has two subsectors, made up of four to six companies and a specialized CRAP (*Commando de Recherche et d'Action en Profondeur*) platoon.[51] A number of combatants from each company are focused on "non-conventional logistics" to acquire money and supplies for the subsector.

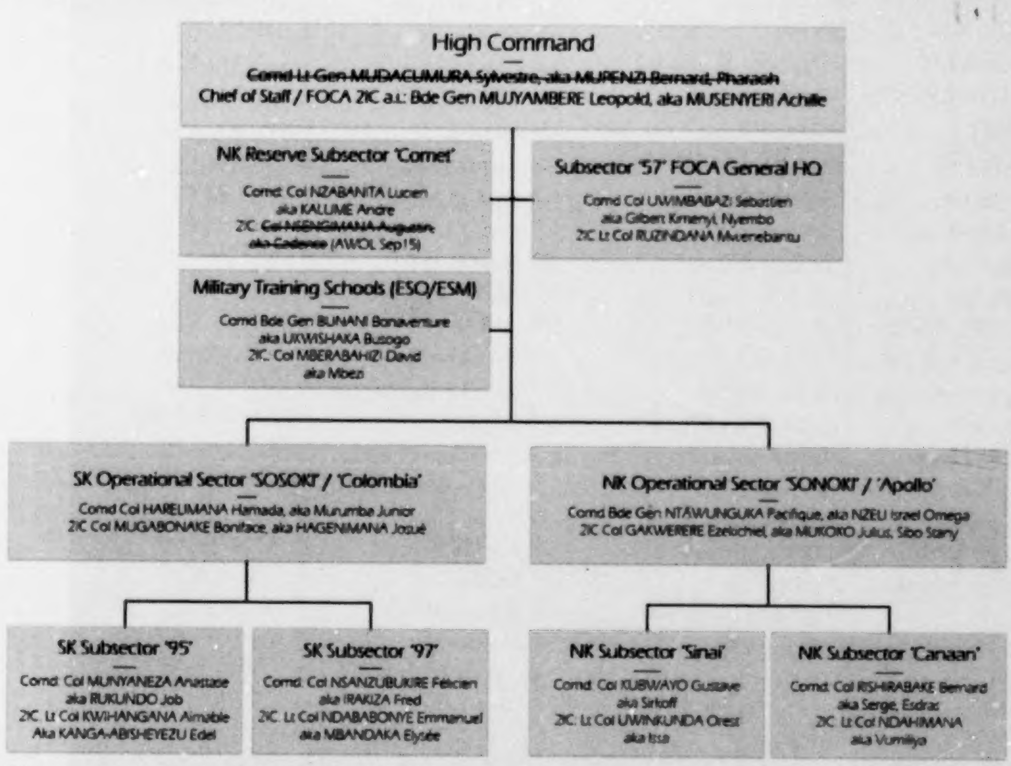

High Command
~~Comd Lt Gen MUDACUMURA Sylvestre, aka MUPENZI Bernard, Pharaoh~~
Chief of Staff / FOCA 2IC a.i.: Bde Gen MUJYAMBERE Leopold, aka MUSENYERI Achille
NK Reserve Subsector 'Comet'
Comd: Col NZABANITA Lucien
aka KALUME Andre
2IC ~~Col NSENGIMANA Augustin,~~
~~aka Gadeese~~ (AWOL Sep15)
Subsector '57' FOCA General HQ
Comd Col UWIMBABAZI Sebastien
aka Gilbert Kimenyi, Nyembo
2IC Lt Col RUZINDANA Mwenebantu
Military Training Schools (ESO/ESM)
Comd Bde Gen BUNANI Bonaventure
aka UKWISHAKA Busogo
2IC. Col MBERABAHIZI David
aka Mbezi
SK Operational Sector 'SOSOKI' / 'Colombia'
Comd Col HARELIMANA Hamada, aka Murumba Junior
2IC Col MUGABONAKE Boniface, aka HAGENIMANA Josué
NK Operational Sector 'SONOKI' / 'Apollo'
Comd Bde Gen NTAWUNGUKA Pacifique, aka NZEU Israel Omega
2IC Col GAKWERERE Ezelochiel, aka MUKOKO Julius, Sibo Stany
SK Subsector '95'
Comd: Col MUNYANEZA Anastase
aka RUKUNDO Job
2IC. Lt Col KWIHANGANA Aimable
Aka KANGA-ABISHEYEZU Edel
SK Subsector '97'
Comd. Col NSANZUBUKIRE Félicien
aka IRAKIZA Fred
2IC. Lt Col NDABABONYE Emmanuel
aka MBANDAKA Elysée
NK Subsector 'Sinai'
Comd. Col KUBWAYO Gustave
aka Sirkoff
2IC. Lt Col UWINKUNDA Orest
aka Issa
NK Subsector 'Canaan'
Comd. Col RISHIRABAKE Bernard
aka Serge, Esdras
2IC. Lt Col NDAHIMANA
aka Vumiliya

Diagram by the Group (March 2016)

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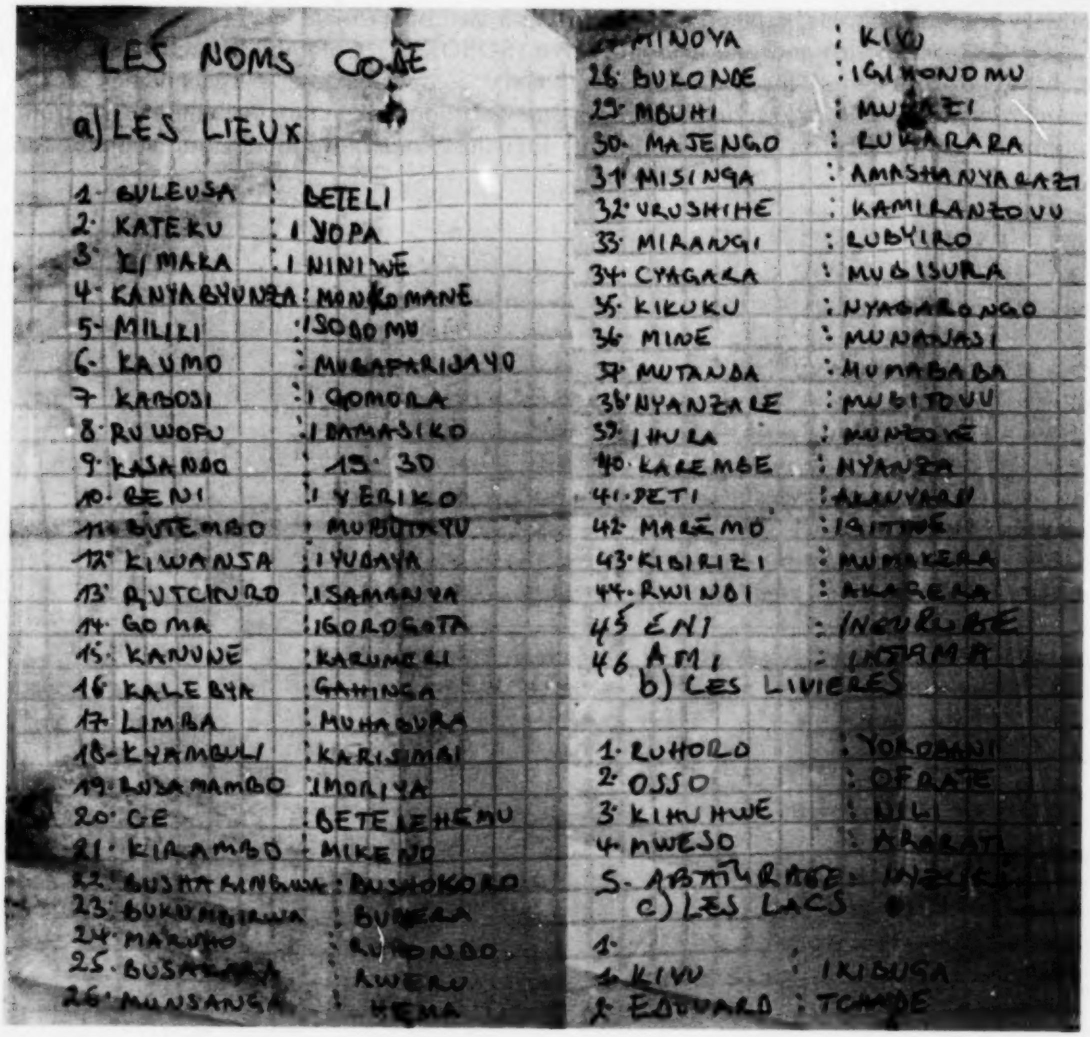
[51] Additional CRAP companies are attached to the two operational sectors and the general headquarters subsector.

Annex 5: FDLR communication and cryptography

FDLR commanders communicate with each other and the outside world with cell phones, satellite phones, handwritten letters and various types of HF and VHF radios. The Group found packaging from some of the radio devices in abandoned FDLR camps, which include Motorolas and devices to program them. General and sector headquarters have signal officers responsible for transmitting orders, and codes are established for names of units, officers, locations and commonly-used words. The codes below, for example, were used by the FDLR Derby Company stationed around Buleusa.



LES NOMS CODE

a) LES LIEUX

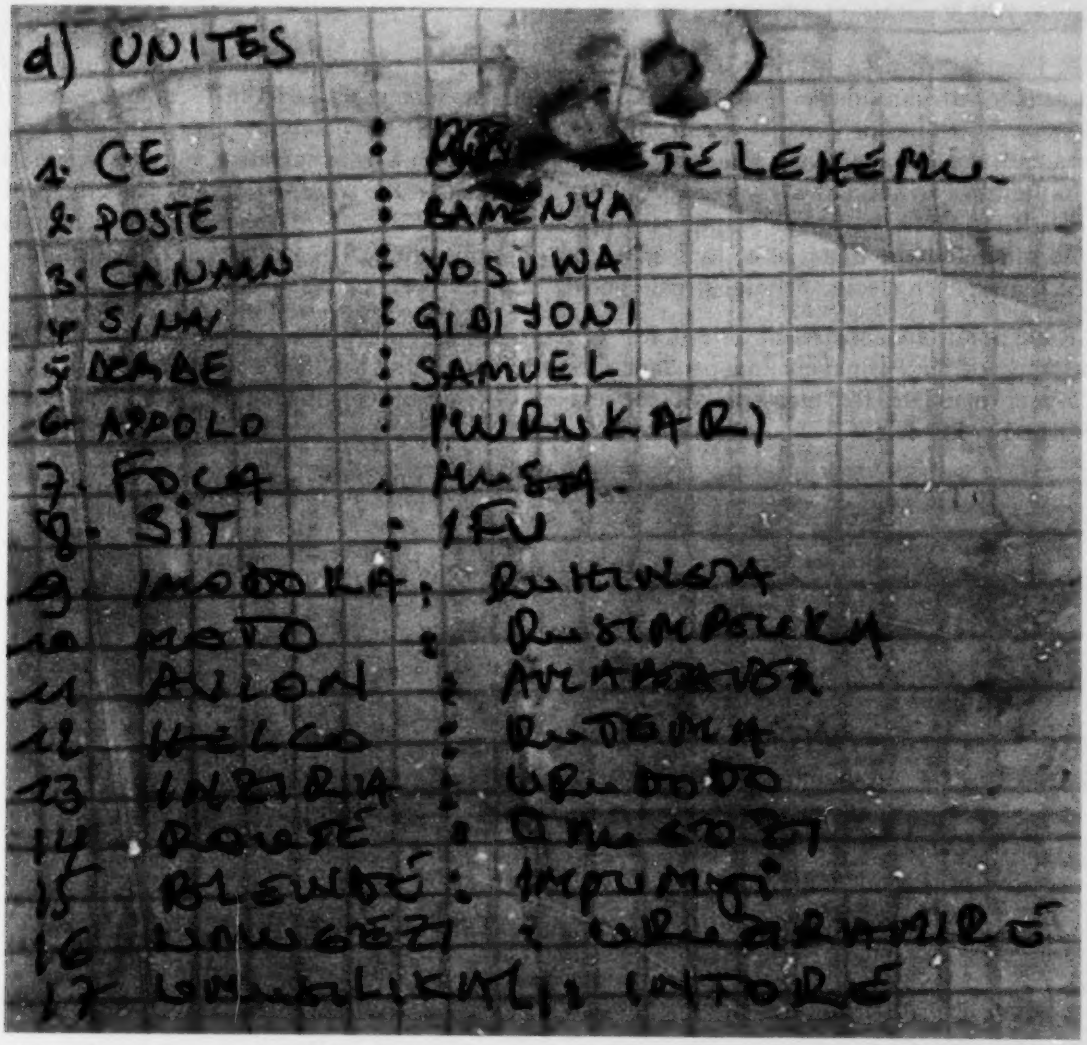
1. BULEUSA : BETELI
2. KATEKU : IYOPA
3. KIMAKA : ININIWE
4. KANYABYUNZA : MONKOMANE
5. MILIKI : ISODOMU
6. KAUMO : MUGAFARIJAYO
7. KABOSI : IGOMORA
8. RUWOFU : IDAMASIKO
9. KASANDO : 15 30
10. BENI : IYERIKO
11. BUTEMBO : MUBUTAYU
12. KIWANSA : IYUDAYA
13. RUTCHURU : ISAMARIYA
14. GOMA : IGOROGOTA
15. KANUNE : KARUMELI
16. KALEBYA : GAHINGA
17. LIMBA : MUHABURA
18. KYAMBULI : KARISIMBI
19. LUSAMAMBO : IMORIYA
20. GE : BETELEHEMU
21. KIRAMBO : MIKENO
22. BUSHAMINGWA : BUSHOKORO
23. BUKUMBIRWA : BUGERA
24. MARUHO : RUBONDO
25. BUSA[illegible] : RWERU
26. MUNSANGA : HEMA
27. MINOVA : KIVU
28. BUKONDE : IGIHONDOMU
29. MBUHI : MURAZI
30. MAJENGO : LUKARARA
31. MISINGA : AMASHANYARAZI
32. URUSHIHE : KAMIRANZOVU
33. MIRANGI : RUBYIRO
34. CYAGARA : MUGISURA
35. KIKUKU : NYAGARONGO
36. MINE : MUNANASI
37. MUTANDA : MUMABABA
38. NYANZALE : MUBITOVU
39. IHURA : MUNZOVE
40. KAREMBE : NYANZA
41. PETI : AKANYARU
42. MAREMO : IGITIWE
43. KIBIRIZI : MUMAKERA
44. RWINDI : AKAGERA
45. ENI : INGURUBE
46. AMI : INTAMA

b) LES LIVIERES

1. RUHORO : YORDANI
2. OSSO : OFRATE
3. KIHUHWE : NILI
4. MWESO : ARARATI
5. ABATHURAGE : INZUKI

c) LES LACS

1.
1. KIVU : IKIBUGA
2. EDOUARD : TCHADE



d) UNITES

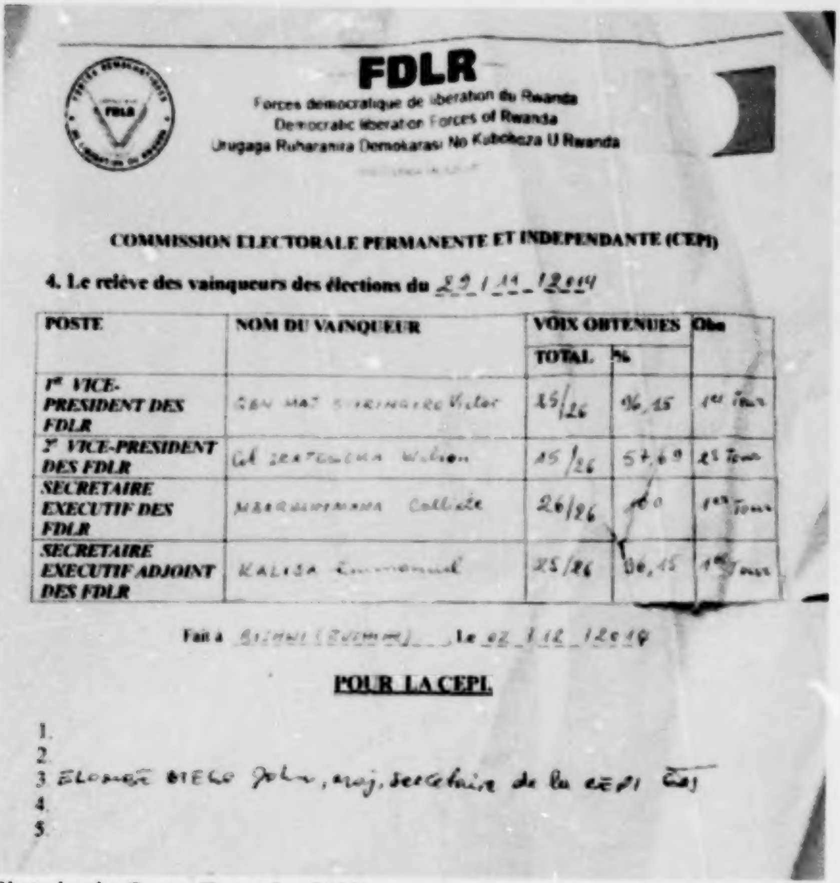
1. CE : [illegible]TELEKEMU
2. POSTE : BAMENYA
3. CANAAN : YOSUWA
4. SINAI : GIDIYONI
5. DEBADE : SAMUEL
6. APPOLO : (WRUKAR)
7. FOCA : MUSA.
8. SIT : IFU
9. IMODOKA : [illegible]
10. MOTO : [illegible]
11. AVION : [illegible]
12. HELICO : [illegible]
13. INZIRA : URUDODO
14. ROUTE : [illegible]
15. BLENDÉ : [illegible]
16. UMUGEZI : [illegible]
17. [illegible] : INTORE

Photos by the Group (December 2015)

Annex 6: FDLR political leadership and elections

FDLR President Ignace Murwanashyaka and former FDLR Vice-President Straton Musoni – both sanctioned individuals – were found guilty on 28 September 2015 in German court for leadership of a foreign terrorist group. Murwanashyaka was also convicted for aiding in war crimes and received a 13-year sentence. Musoni received an 8-year sentence, but was released due to the time he had already served. This had no effect on the official political leadership of the FDLR, as Murwanashyaka remains the president (see S/2015/797, Annex 2). The elections for the other four political posts took place on 29 November 2014, and according to FDLR election laws, each elected official will serve a term of five years.

FDLR electoral law consists of 81 articles, which describe the entire electoral process and the functioning of the Permanent Independent Electoral Commission (CEPI). Article 54 describes the 5-year mandate for members of the executive committee, elected as seen below on 29 November 2014.



FDLR

Forces démocratiques de libération du Rwanda
Democratic liberation Forces of Rwanda
Urugaga Ruharanira Demokarasi No Kubohoza U Rwanda

COMMISSION ELECTORALE PERMANENTE ET INDEPENDANTE (CEPI)

4. Le relève des vainqueurs des élections du 29/11/2014

POSTE	NOM DU VAINQUEUR	VOIX OBTENUES		Obs
		TOTAL	%	
1er VICE-PRESIDENT DES FDLR	GEN MAJ BYIRINGIRO Victor	25/26	96,15	1er Tour
2e VICE-PRESIDENT DES FDLR	Col IRATEGEKA Wilson	15/26	57,69	2e Tour
SECRETAIRE EXECUTIF DES FDLR	MBARUSHIMANA Callixte	26/26	100	1er Tour
SECRETAIRE EXECUTIF ADJOINT DES FDLR	KALISA Emmanuel	25/26	96,15	1er Tour

Fait à [illegible] ([illegible]) le 02/12/2014

POUR LA CEPI

1.
2.
3. [illegible] John, maj, secrétaire de la CEPI [illegible]
4.
5.

Photo by the Group (December 2015)

Annex 7: FDLR Camp Mumo

Camp Mumo in northeast Rutshuru Territory in North Kivu was the FDLR Canaan subsector headquarters led by "Colonel" Bernard Rishirabake (aka Serge, Esdras). Spread out over a triangular area measuring approximately 1.5 by 1 by 1 kilometer, the camp consisted of over 120 huts, in addition to a health center, a school and several churches. Certain sections of the camp were exclusively military, and others were frequented by civilians. According to its patient logs, the health center, for example, served both FDLR combatants, their family members and civilians from nearby villages.

The camp was protected by light (7.62x54 mm) and heavy (12.7x108 mm) machine gun positions that overlooked the paths leading to the camp, but the FDLR chose to abandon rather than seriously defend the area. The FARDC told the Group it only sustained one casualty, and there were no FDLR combatants killed or captured. The Group also found relatively few discharged bullet casings, the majority of which were for 7.62x54 mm light machine gun rounds. The smaller 7.62x39 mm casings that would indicate the use of Kalashnikov-pattern rifles – which are the most common weapon and would be used at close range – were few and far between.

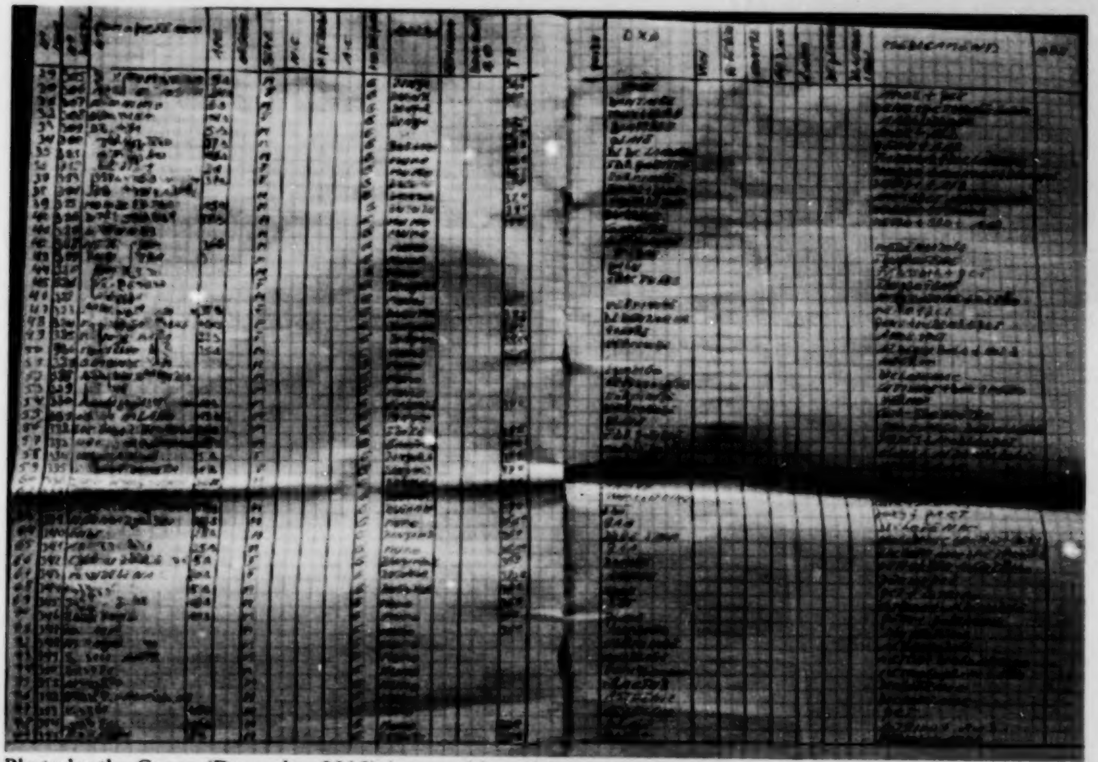
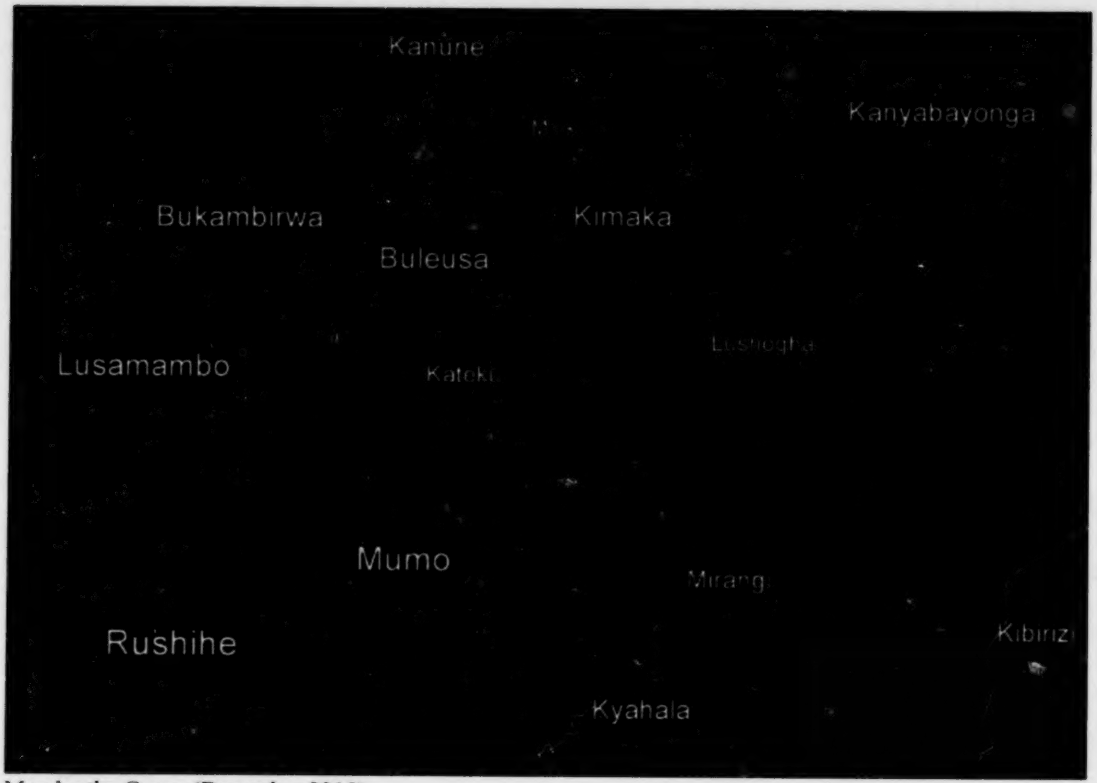


Photo by the Group (December 2015) / names blurred to protect identity

Annex 8: Select FDLR bases lost during Sukola II operations in southern Lubero, eastern Walikale and northern Rutshuru Territory



Map by the Group (December 2015)

Annex 9: FDLR troop concentrations

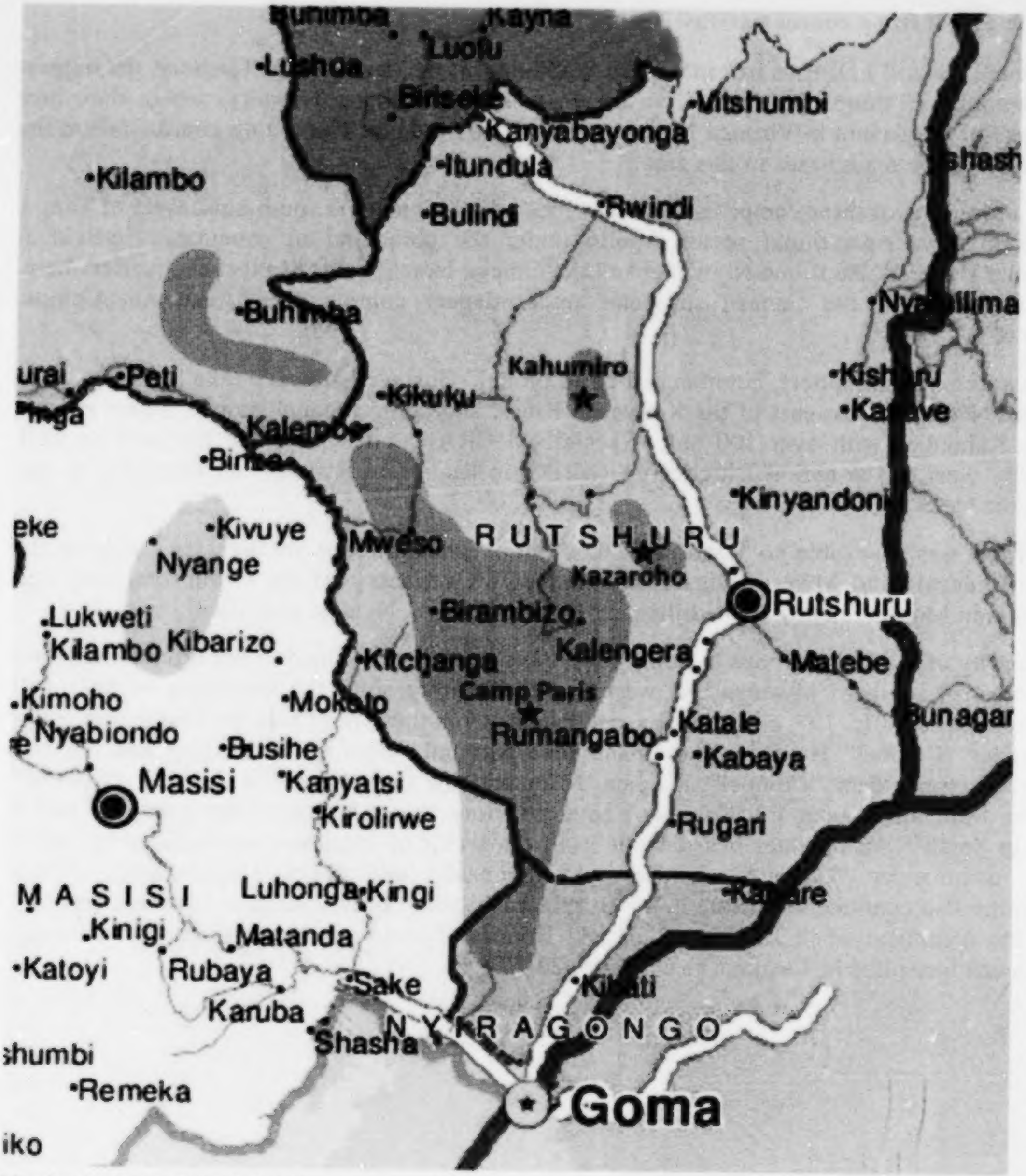
While there are still FDLR cadres in eastern Walikale, Masisi, and Lubero Territory, the biggest concentrations of troops in North Kivu are in western Rutshuru Territory, where they take advantage of the terrain in Virunga National Park to stay hidden. The Group could confirm the existence of three main bases in this area.

One is a grouping of three camps called Paris, located 10 kilometers south-southwest of Tongo. The North Kivu operational sector Apollo under the command of sanctioned individual "Brigadier General" Pacifique Ntawunguka (aka Omega Israel Nzeli) has its headquarters here, along with half of the Canaan subsector under deputy commander "Lieutenant Colonel Vumilya."

Sinai subsector headquarters, commanded by "Colonel" Gustave Kubwayo (aka Sirkoff), are in Kazaroho, Rutshuru just east of the Kanyosha River; and aerial reconnaissance flights show a base in Kahumiro with over 100 huts. Specialized CRAP units operate in the park as well, especially west of the national highway (RN2) from Rugare to Rwindi, but generally do not keep static bases.

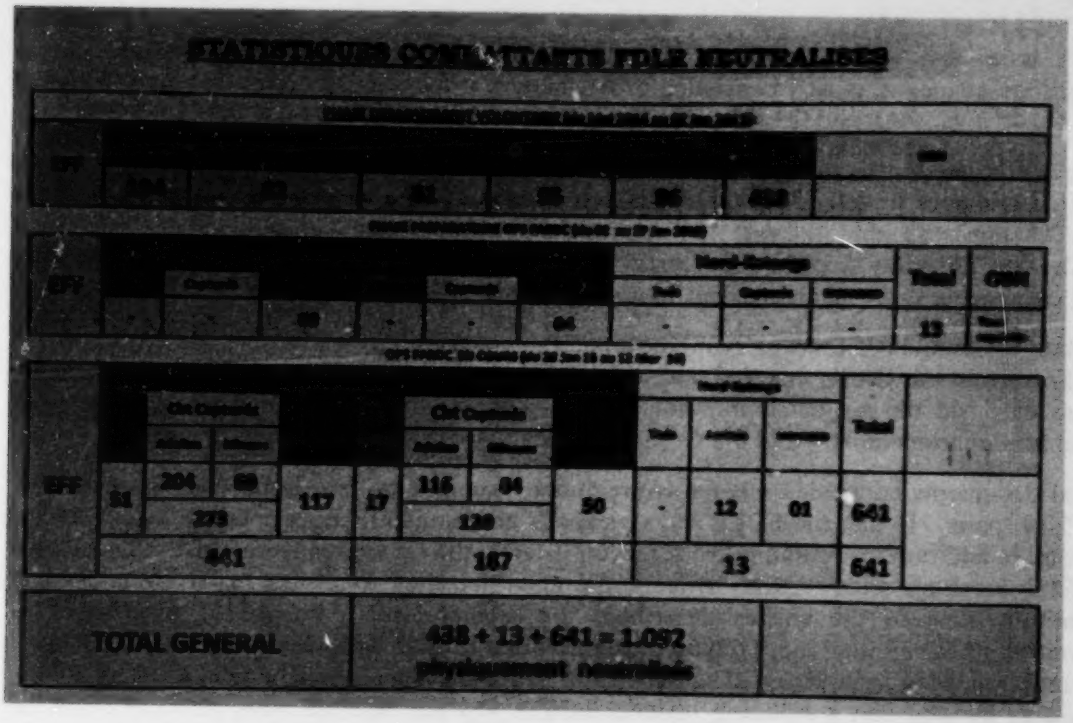
The Group was also able to confirm FDLR troop concentrations in the area between the Mweso-Nyanzale and Mweso-Pinga roads, and FDLR officers told the Group that they still have units in Masisi Territoy in the hills near Bweru, Kivuye, Nyange and Mpati.

The majority of the FDLR troops in South Kivu Province have remained in and around the Hewa Bora forest in southern Mwenga and western Fizi Territory since the beginning of Sukola II operations (see S/2015/797, para. 28). Ex-combatants from these units told the Group that sector commander "Colonel" Hamada Harelimana (aka Murumba Junior, Bora Aziz) and the two subsector commanders "Colonel" Félicien Nsanzubukire (aka Fred Irakiza) and "Colonel" Anastase Munyaneza (aka Job Rukundo) have positions there. Another large group of FDLR troops in South Kivu operates near Lubumba in the sector of Itombwe, commanded by sector deputy commander "Colonel" Boniface Mugabonake (aka Josué Hagenimana). FDLR combatants also continue to operate in the Burhinyi Chiefdom of northeastern Mwenga Territory under the command of "Lieutenant Colonel" Bonheur Nizeyimana (aka Lukanga), although Nizeyimana himself is in Tanzania as of March 2016.



Map by the Group (March 2016)

Annex 10: FARDC Sukola II statistics



STATISTIQUES COMBATTANTS FDLR NEUTRALISES

[illegible]

EFF	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	

[illegible]

EFF	[illegible]	Capturés	[illegible]	[illegible]	Capturés	[illegible]	Nord-Katanga Tués	Nord-Katanga Capturés	Nord-Katanga [illegible]	Total	[illegible]
	-	-	[illegible]	-	-	[illegible]	-	-	-	13	[illegible]

[illegible]

EFF	[illegible]	Cbt Capturés Adultes	Cbt Capturés Mineurs	[illegible]	[illegible]	Cbt Capturés Adultes	Cbt Capturés Mineurs	[illegible]	Nord-Katanga Tués	Nord-Katanga [illegible]	Nord-Katanga [illegible]	Total
EFF	51	204	69	117	17	116	04	50	-	12	01	641
		273				120						
	441				187				13			641

TOTAL GENERAL	438 + 13 + 641 = 1.092 physiquement neutralisés	

Annex 11: FDLR weaponry

Many FDLR ex-combatants gave corresponding testimony regarding the state of the armed group's weaponry, which also lines up with the documents acquired by the Group. Light weapons are abundant, mostly consisting of AK pattern rifles (7.62x39 mm), but also including R4 (5.56x45 mm), FAL and G3 rifles (7.62x51 mm).

Each platoon has access to light machine guns, such as PKM variants (7.62x54 mm), rocket-propelled grenades (mostly RPG-7) and in some cases 60 mm mortars. Heavy machine guns (12.7x108 mm), 82 mm mortars, 107 mm rockets, anti-personnel mines and fragmentation grenades are generally kept at the subsector or sector levels and are distributed as needed. FDLR documents show that additional weapons are kept in caches when not in use.

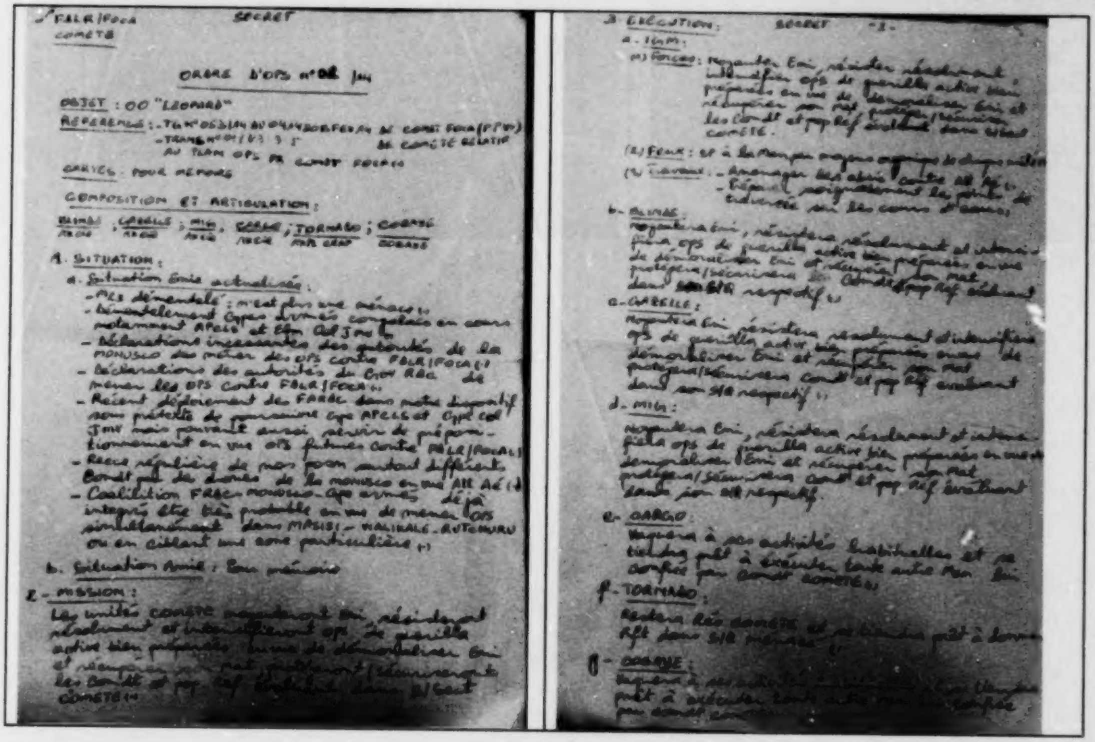
The state of ammunition stores is more contentious among ex-combatants the Group spoke with. Some told the Group that they abandoned bases or turned themselves in to MONUSCO, because they had run out of ammunition. Others – especially those associated with sector or general headquarters units – told the Group that they had lots of ammunition in reserve.

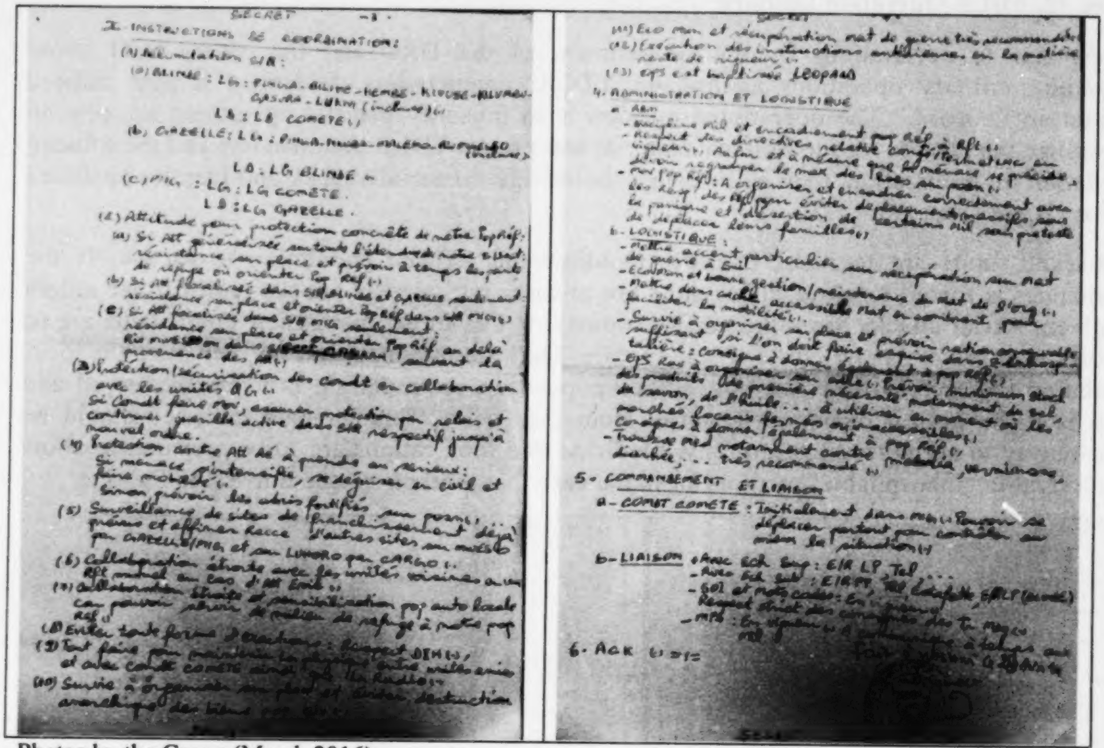
Internal documents confirmed what was previously reported by the Group (see, for example, S/2015/19, para. 71) that the FDLR buys weapons and ammunition as possible from FARDC elements. In addition to testimony from ex-combatants, the Group recovered FDLR documents describing meetings with FARDC officers, during which they were able to buy weapons and ammunition. One of the entries described, for example, the purchase of two boxes of ammunition (7.62x39 mm and 7.62x54 mm), a 60 mm mortar with two shells and one RPG-7 with three grenades from an FARDC officer in Nyanzale. The Group notes that many FDLR combatants insisted that purchasing material in this way has become more difficult since the beginning of the Sukola II operations.

Annex 12: FDLR Operation Leopard

In response to declarations by the Government of the DRC and the MONUSCO about impending military operations against the FDLR, commanders developed a plan dubbed "Operation Leopard." The operational mission is to intensify guerilla operations in order to demoralize the enemy, recoup military material and protect FDLR commanders and the refugee population. In preparation, they will arrange shelter against aerial attacks and identify locations to cross waterways.

If attacked, units are to resist in order to allow the refugee population to escape. If the commander is forced to move, other units are to carry out guerilla attacks until further orders are given. Aerial attacks are to be taken seriously; if this threat intensifies, combatants are to disguise themselves as civilians and stay mobile. They are to collaborate and sensitize the local population to serve as hosts for the refugee population. Ammunition is to be conserved and focus is to be put on recouping materiel from the enemy. Cumbersome materiel should be hidden away to allow for high mobility. Medicine and food rations are to be prepared to allow for survival in "inhospitable" territory or in the case that markets closed due to the fighting.





SECRET -3-

3. INSTRUCTIONS DE COORDINATION:

(1) Délimitation S/R:

(a) BLINDE: LG: PINGA-BILIPE-HEMBE-KIBUBE-KIBUABU-GASURA-LUKWI (inclus),
LD: LG COMETE,

(b) GAZELLE: LG: PINGA-MUNGA-MALEMO-[illegible] (inclus)
LD: LG BLINDE.

(c) PIKI: LG: LG COMETE.
LD: LG GAZELLE.

(2) Attitude pour protection concrète de notre Pop Réf:

(a) Si Att généralisée sur toute l'étendue de notre Z Resp: résistance sur place et prévoir à temps les points de refuge où orienter Pop Réf,

(b) Si Att localisée dans S/R Blindé et Gazelle seulement: résistance sur place et orienter Pop Réf dans S/R PIKI,

(c) Si Att localisée dans S/R PIKI seulement: résistance sur place et orienter Pop Réf au delà Rio [illegible] dans [illegible] suivant la provenance des Att,

(3) Protection/sécurisation des Comdt en collaboration avec les unités AG,
Si Comdt fait mvt, assurer protection par relais et continuer guérilla active dans S/R respectif jusqu'à nouvel ordre.

(4) Protection contre Att Aé à prendre au sérieux:
Si menace s'intensifie, se déguiser en civil et faire mobilité,
Sinon prévoir les abris fortifiés.

(5) Surveillance de sites de franchissement déjà prévus et affiner Recce d'autres sites au [illegible] par GAZELLE/PIKI et au LUHORO par CARGO,

(6) Collaboration étroite avec les unités voisines ou un Rft mutuel en cas d'Att Eni,

(7) Collaboration étroite et sensibilisation pop auto locale car pouvoir servir de milieu de refuge à notre pop Réf,

(8) Eviter toute forme d'exactions: Respect DIH,

(9) Tout faire pour maintenir la cohésion entre unités amies et avec Comdt COMETE ainsi que la Radio,

(10) Survie à organiser sur place et éviter destruction anarchique des biens [illegible]

SECRET -4-

(11) Eco mun et récupération mat de guerre très recommandée,

(12) Exécution des instructions ordonnées en la matière reste de rigueur,

(13) OPS est baptisée LEOPARD

4. ADMINISTRATION ET LOGISTIQUE

a- ADM
- Discipline mil et encadrement par Réf à Rft,
- Respect des directives relatives conf/formation [illegible] rigueur, Au fur et à mesure que la menace se précise, devoir regrouper le max des Elts au poste,
- Pour Pop Réf: A organiser et encadrer correctement avec les Resp des Réf pour éviter déplacements massifs sans la panique et désertion de certains mil sous prétexte de déplacer leurs familles,

b- LOGISTIQUE:
- Mettre accent particulier sur récupération sur mat de guerre à Eni,
- Economie et bonne gestion/maintenance du mat de [illegible],
- Mettre dans cache accessible mat encombrant pour faciliter la mobilité,
- Survie à organiser sur place et prévoir ration opérationnelle suffisant si l'on doit faire séjour dans la [illegible]: Consigne à donner également à Pop Réf,
- OPS Ravi à organiser sur cible, Prévoir minimum stock des produits de première nécessité notamment du sel, du savon, de l'huile... à utiliser au moment où les marchés locaux fermés ou inaccessibles,
Consignes à donner également à Pop Réf,
- Trousses Méd notamment contre paludisme, verminose, diarrhée,... très recommandé,

5- COMMANDEMENT ET LIAISON

a- COMDT COMETE: Initialement dans [illegible] Pouvoir se déplacer partout pour contrôler au mieux la situation,

b- LIAISON:
- Avec Ech Sup: E/R LP, Tel...
- Avec Ech Sub: E/R [illegible], Tel, Estafette, CRLP [illegible]
- SOI et mots codés: En vigueur
Respect strict des consignes des Tr [illegible]
- MPS: En vigueur. A communiquer à temps aux [illegible]

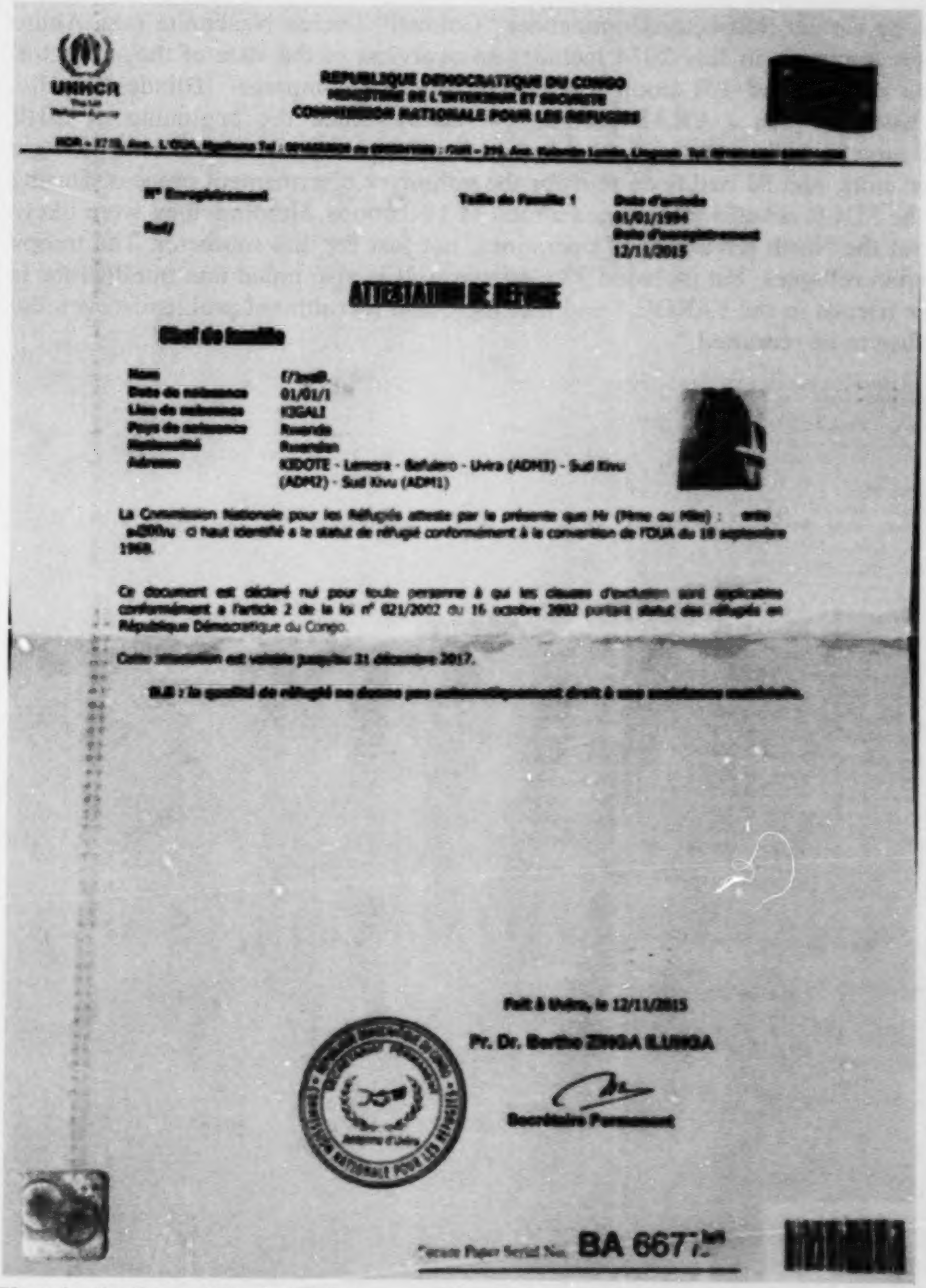
6. ACK [illegible]

Fait à [illegible]

SECRET

Photos by the Group (March 2016)

Annex 13: FDLR refugee documents



UNHCR
The UN Refugee Agency

REPUBLIQUE DEMOCRATIQUE DU CONGO
MINISTERE DE L'INTERIEUR ET SECURITE
COMMISSION NATIONALE POUR LES REFUGIES

RDR – 1773, Ave. L'OUA, Ngaliema Tel : [illegible] ou [illegible] / [illegible] – 219, Ave. [illegible], Lingwala Tel [illegible]

N° Enregistrement
Ref/

Taille de Famille 1

Date d'arrivée
01/01/1994
Date d'enregistrement
12/11/2015

ATTESTATION DE REFUGIE

Chef de famille

Nom	[redacted]
Date de naissance	01/01/1[redacted]
Lieu de naissance	KIGALI
Pays de naissance	Rwanda
Nationalité	Rwandan
Adresse	KIDOTE - Lemera - Bafuliro - Uvira (ADM3) - Sud Kivu (ADM2) - Sud Kivu (ADM1)

[redacted]

La Commission Nationale pour les Réfugiés atteste par la présente que Mr (Mme ou Mlle) : [redacted] ci haut identifié a le statut de réfugié conformément à la convention de l'OUA du 10 septembre 1969.

Ce document est déclaré nul pour toute personne à qui les clauses d'exclusion sont applicables conformément à l'article 2 de la loi n° 021/2002 du 16 octobre 2002 portant statut des réfugiés en République Démocratique du Congo.

Cette attestation est valable jusqu'au 31 décembre 2017.

N.B : la qualité de réfugié ne donne pas automatiquement droit à une assistance matérielle.

Fait à Uvira, le 12/11/2015

Pr. Dr. Bertho ZINGA ILUNGA

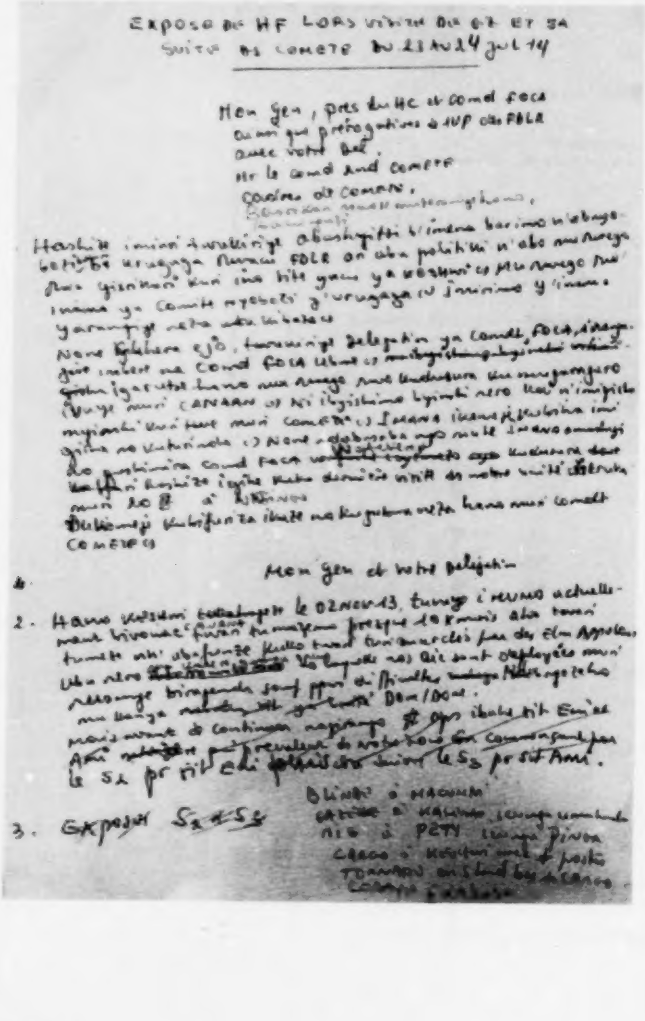
Secrétaire Permanent

Secure Paper Serial No. **BA 667**[redacted]

Photo by the Group (March 2016) / personal details blurred to protect identity

Annex 14: State of the FDLR Comet Subsector

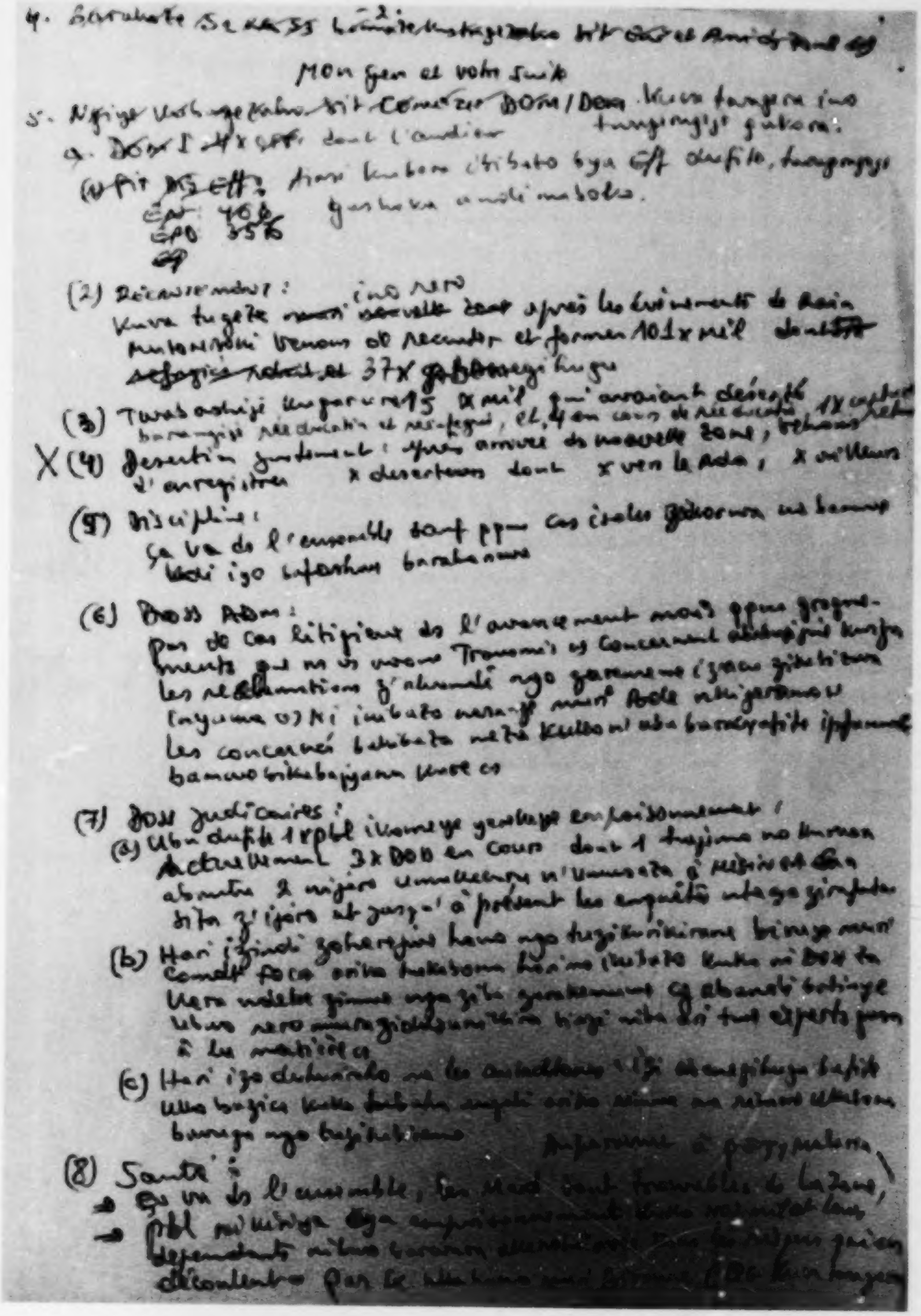
This speech given by Comet Subsector Commander "Colonel" Lucien Nzabanita (aka Andre Kalume) to the high command in July 2014 includes an overview of the state of the subsector. As of that date, he commanded 408 troops organized into five companies (Blinde, Gazelle, Mig, Cargo and Cobaye) plus a CRAP platoon (Tornado). Since the beginning of 2013 (approximately 16 months before the report), they had lost 17 elements to desertion, 49 were transferred to other units, and 38 had been sent for the voluntary disarmament process. During that same period, the FDLR schools had trained a total of 101 troops, although they were likely deployed throughout the North Kivu area of operations, not just for this subsector. The troops were mostly Rwandan refugees, but included 37 Congolese. It is also noted that intelligence is gathered "from our friends in the FARDC," and that there is a recruitment problem: "even the young refugees refuse to be recruited."



EXPOSE DU HF LORS VISITE DU GT ET SA SUITE AU COMETE DU 23 AU 24 JUL 14

Mon Gen, Pres du HC et Comd FOCA

Mon Gen et votre Delegation



4. [illegible] 52 KA 35 [illegible] bit [illegible]
MON gen et vote suit

5. Ngiye [illegible] bit Commandement DOM / DOM. Kuva tangira ivo tungiyangiye gukora.
a. DOM I 4x GPP dont l'auditeur
(1) Effectifs: ~~[illegible]~~ [illegible] kubona ibibazo bya GPP [illegible], [illegible] gushaka [illegible].
GPP 40%
GPO 35%

(2) Recrutement: ivo nero
Kuva tugeze ~~[illegible] nouvelle zone~~ après les événements de [illegible] [illegible] venons de recruter et former 101 x mil ~~[illegible]~~
~~[illegible]~~ 37 x [illegible]

(3) Twarashoye [illegible] 15 x mil qui avaient déserté, 1 x capturé [illegible] barangije rééducation et réinsertion, et 4 en cours de rééducation, [illegible]

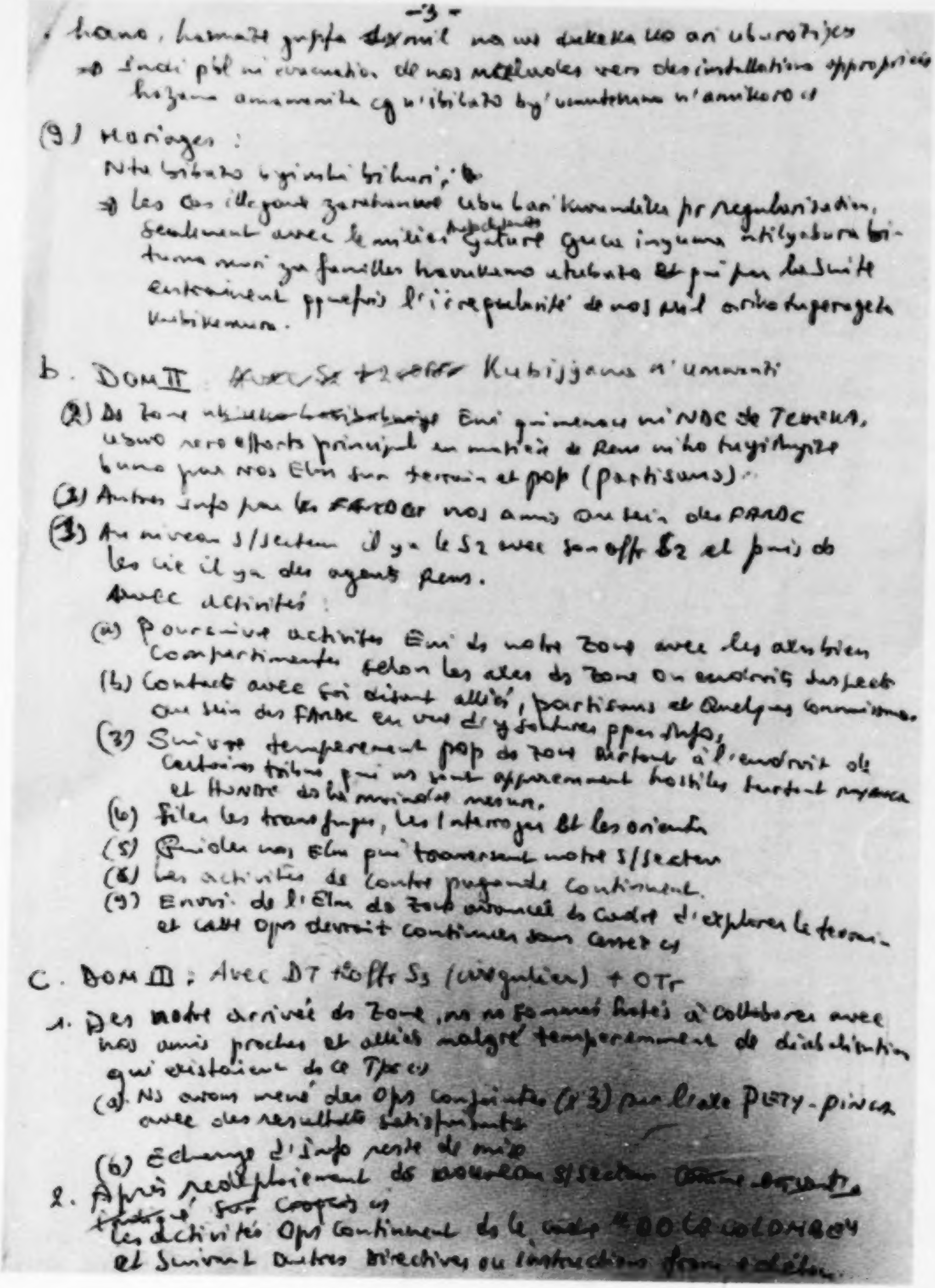
(4) Désertion [illegible]: après arrivée de nouvelle zone, [illegible] x ailleurs d'enregistrer x déserteurs dont x vers le [illegible],

(5) Discipline:
ça va de l'ensemble sauf pp— cas isolés [illegible]
[illegible] igo [illegible] barabamwe

(6) Pbs ADM:
pas de cas litigieux de l'avancement mais [illegible] [illegible] qui ne se voient Transmis les concernant [illegible] les réclamations z'abandi ngo [illegible] [illegible] [illegible] ni ibibazo [illegible] [illegible] les concernés [illegible] [illegible]

(7) Pbs judiciaires:
(a) [illegible] 1 x ptl [illegible] emprisonnement
Actuellement 3 x DOB en cours dont 1 [illegible] [illegible] [illegible] à présent les enquêtes [illegible] jusqu'à présent les enquêtes [illegible]
(b) Hari [illegible] [illegible] ngo [illegible] [illegible] [illegible] DOB [illegible] ngo [illegible] [illegible] tout experts [illegible] à la [illegible]
(c) Hari igo [illegible] [illegible] [illegible] [illegible]
[illegible] ngo [illegible]

(8) Santé:
→ Ça va de l'ensemble, les [illegible] sont favorables à la zone, [illegible]
→ Ptl [illegible] emprisonnement [illegible] [illegible] [illegible] par le [illegible]



-3-

hano, hamaze gufata ~~[illegible]~~ nawe dukeka ko ari uburozi cs
⇒ Inzi pol ni évacuation de nos malades vers des installations appropriées hazamo amavuriro cg n'ibitaro by'umutekano n'amikoro cs

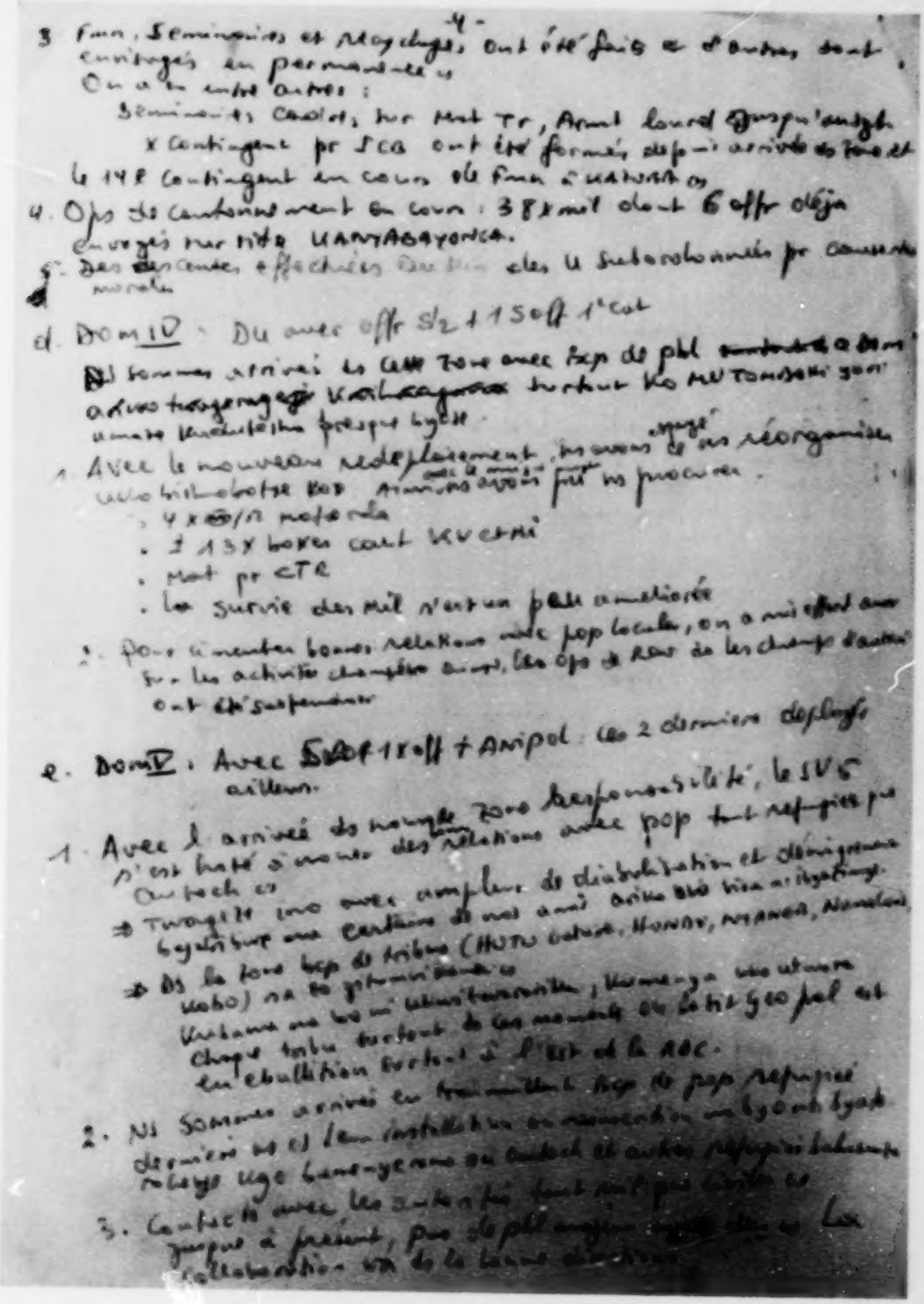
(9) Mariages :
Nta bibazo bigiraho bihari;
⇒ les cas illégaux zarahanwe ubu bari kuvundika pr régularisation, seulement avec le milieu hypocrite gatuye guca inzira intilyabura bitewe nuko za familles havukamo utubazo et qui par la suite entraînent parfois l'irrégularité de nos pers arihotugerageje kubikemura.

b. DOM II : ~~Avec S2 + 2 offr~~ Kubijyanye n'umurenzi

(2) Ds zone [illegible] Emi guimenauc ni NDC de TCHEKA, usowe nero efforts principal en matière de Rens niho twagiteguye buno par nos Elm sur terrain et pop (partisans).
(3) Autres info par les FARDC et nos amis au sein des FARDC
(3) Au niveau S/Secteur il y a le S2 avec son offr S2 et puis ds les cie il y a des agents Rens.
Avec activités :
(a) Poursuive activités Emi ds notre zone avec les agents bien compartimentés selon les axes ds zone ou endroits suspects
(b) Contact avec soi disant alliés, partisans et quelques connaissances au sein des FARDC en vue d'y soutirer pper info,
(3) Suivre tempérament pop ds zone surtout à l'endroit de certaines tribus qui ns sont apparemment hostiles surtout nyanga et Hunde ds la moindre mesure.
(4) Filer les transfuges, les interroger et les orienter
(5) Guider nos Elm qui traversent notre S/Secteur
(6) Les activités de contre propagande continuent.
(7) Envoi de l'Elm de zone avancée ds cadre d'explorer le terrain et cette Ops devrait continuer sans cesse cs

C. DOM III : Avec DT et offr S3 (irrégulier) + OTr

1. Dès notre arrivée ds zone, ns ns sommes hâtés à collaborer avec nos amis proches et alliés malgré tempérament de discrimination qui existaient ds ce Tps cs
(a). Ns avons mené des Ops conjointes (x 3) sur l'axe PETY-pinga avec des résultats satisfaisants
(b) Échange d'info reste de mise
2. Après redéploiement ds nouveau S/Secteur ~~[illegible]~~ indiqué sur croquis cs
~~[illegible]~~ les activités Ops continuent ds le cadre "OO LE COLOMBE" et suivant autres directives ou instructions from échelon.

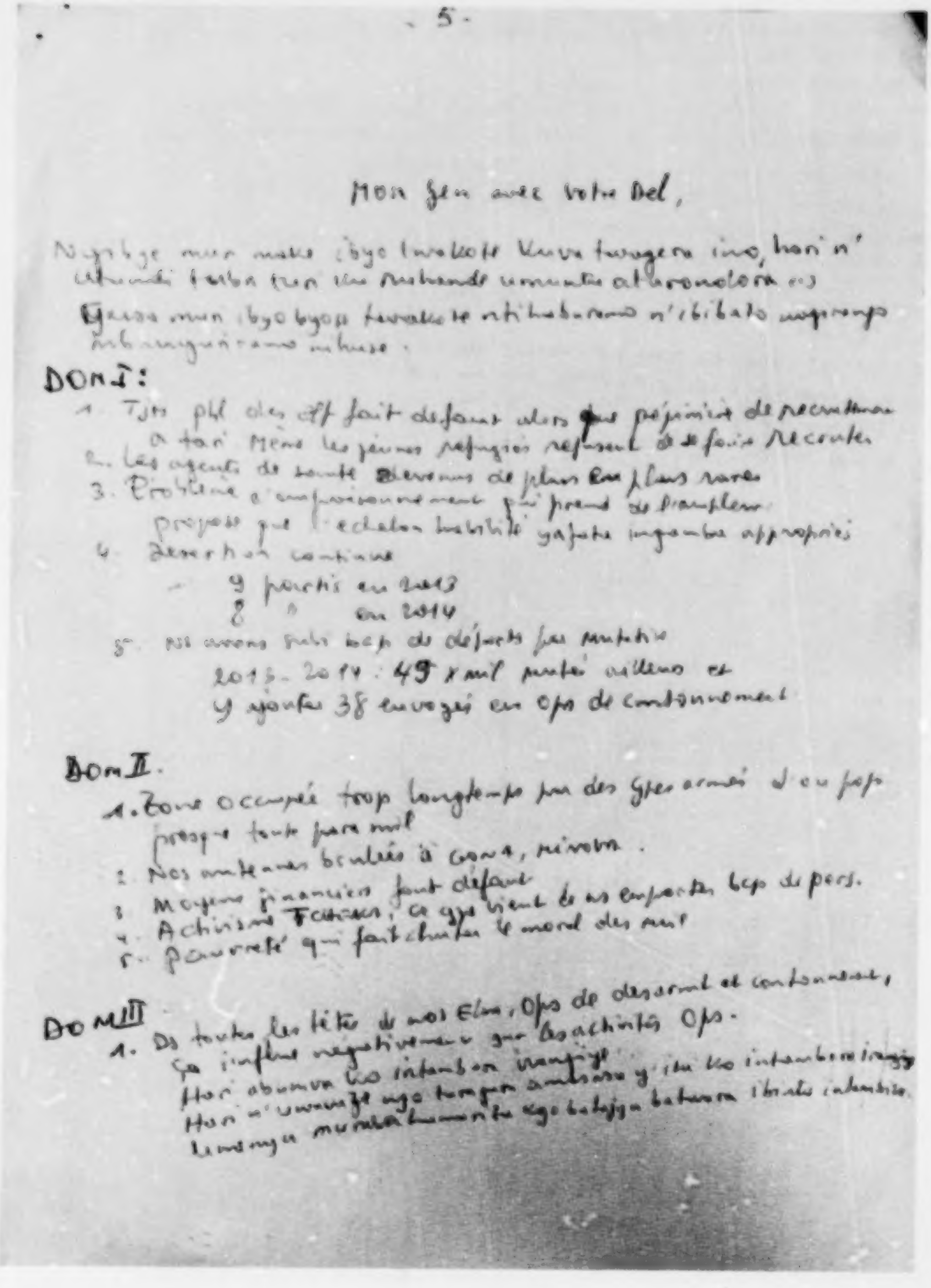


-4-

3. Fmn, Séminaires et Recyclages ont été faits et d'autres sont envisagés en permanence.
On a eu entre autres :
Séminaires Cadets, sur Mat Tr, Armt lourd jusqu'au [illegible]
X Contingent pr SCB ont été formés depuis arrivée ds zone et le 14e Contingent en cours de fmn à [illegible]
4. Ops de cantonnement en cours : 38 x mil dont 6 offr déjà envoyés sur site KANYABAYONGA.
5. Des descentes effectuées [illegible] des U subordonnées pr conseils moraux.

d. DOM IV : DU avec offr S2 + 1 S off 1e cl
Ns sommes arrivés ds cette zone avec bcp de pbl [illegible] surtout les MUTOMBOKI [illegible] presque [illegible].
1. Avec le nouveau redéploiement, ns avons engagé de ns réorganiser [illegible] avons fait ns procurer :
- 4 x [illegible] motorola
- 1 13 x [illegible]
- Mat pr CTR
- La survie des mil n'est un peu améliorée
2. Pour cimenter bonnes relations avec pop locale, on a mis effort sur les activités champêtres ainsi, les ops de Rav ds les champs d'autrui ont été suspendues

e. DOM V : Avec S2 Off 1 x off + Anipol. Les 2 derniers déployés ailleurs.
1. Avec l'arrivée ds nouvelle zone responsabilité, le SVS s'est hâté d'animer des relations avec pop tout réfugiés [illegible]
⇒ [illegible] avec complexe de diabolisation et dénigrement [illegible]
⇒ Ds la zone bcp de tribus (HUTU [illegible], HUNDE, NYANGA, Nande, [illegible]) [illegible] chaque tribu surtout à l'Est et la RDC en ébullition
2. Ns sommes arrivés en [illegible] bcp de pop réfugiée [illegible]
3. Contacts avec les autorités [illegible] jusqu'à présent, pas de pbl [illegible] La collaboration [illegible] de la bonne [illegible]



- 5 -

Mon Gen avec votre Del,

Ngirango muri make ibyo twakoze kuva twagera ino, hari n'
ibindi [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]
Ugasanga muri ibyo byose twarakoze ntituhabwa n'ibibazo [illegible]
[illegible] [illegible].

DOM I:

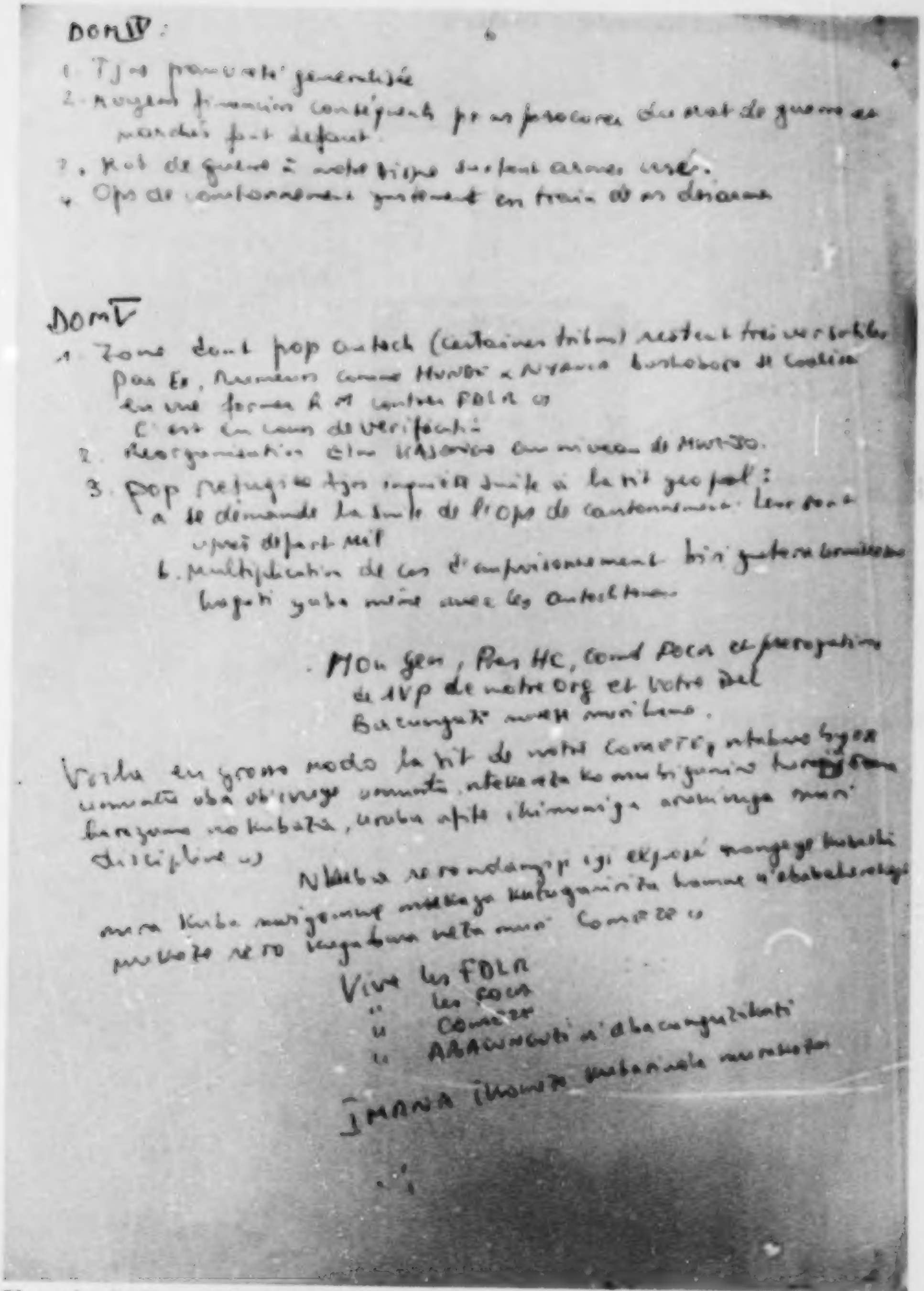
1. Tjrs pbl des eff fait défaut alors que pépinière de recrutement a tari. Même les jeunes réfugiés refusent de se faire recruter
2. Les agents de santé deviennent de plus en plus rares
3. Problème d'empoisonnement qui prend de l'ampleur. Proposé que l'échelon habilité yafata ingamba appropriés
4. Désertion continue
   - 9 partis en 2013
     8 " en 2014
5. Ns avons subi bcp de départs par mutation
   2013 - 2014 : 49 x mil partis ailleurs et
   y ajouter 38 envoyés en Ops de cantonnement

DOM II.

1. Zone occupée trop longtemps par des Gpes armés d'où pop presque toute para mil
2. Nos antennes brulées à Goma, [illegible].
3. Moyens financiers font défaut
4. Activisme [illegible], ce qui vient de ns emporter bcp de pers.
5. Pauvreté qui fait chuter le moral des mil

DOM III

1. Ds toutes les têtes de nos Elm, Ops de désarmt et cantonnement, ça influe négativement sur les activités Ops.
   Hari abumva ko intambara irangiye [illegible] y'ibi ko intambara [illegible]
   Hari n'uwavuze ngo [illegible] [illegible] batujya batwara ibintu [illegible]
   [illegible] [illegible]



DOM IV :

1. Tjrs pauvreté généralisée
2. Moyens financiers conséquents pr se procurer du mat de guerre [illegible] font défaut.
3. Mat de guerre = notre besoin surtout armes [illegible].
4. Ops de cantonnement justement en train [illegible]

DOM V

1. Zone dont pop autoch (certaines tribus) restent très vulnérables
   Par Ex, [illegible] comme [illegible] & NYANGA [illegible] coalise en vue former [illegible] contre FDLR [illegible]
   C'est en cours de vérification
2. Réorganisation [illegible] au niveau de [illegible].
3. Pop réfugiée [illegible] inquiète suite à la sit géopol :
   a. se demande la suite de l'Ops de cantonnement. Leur sort après départ mil
   b. Multiplication de cas d'emprisonnement [illegible] même avec les autochtones

. Mon Gen, Pres HC, Comd FOCA et prérogatives de 1VP de notre Org et votre dél
Bacungutsi [illegible].

Voilà en gros modo la sit de notre [illegible] [illegible] discipline [illegible]

[illegible] Comsec [illegible]

Vive les FDLR
" les FOCA
" [illegible]
" ABACUNGUZI n'abacunguzikazi

IMANA [illegible]

Photos by the Group (March 2016)

Annex 15: Cash transfers to Robert Kayembe in Tanzania

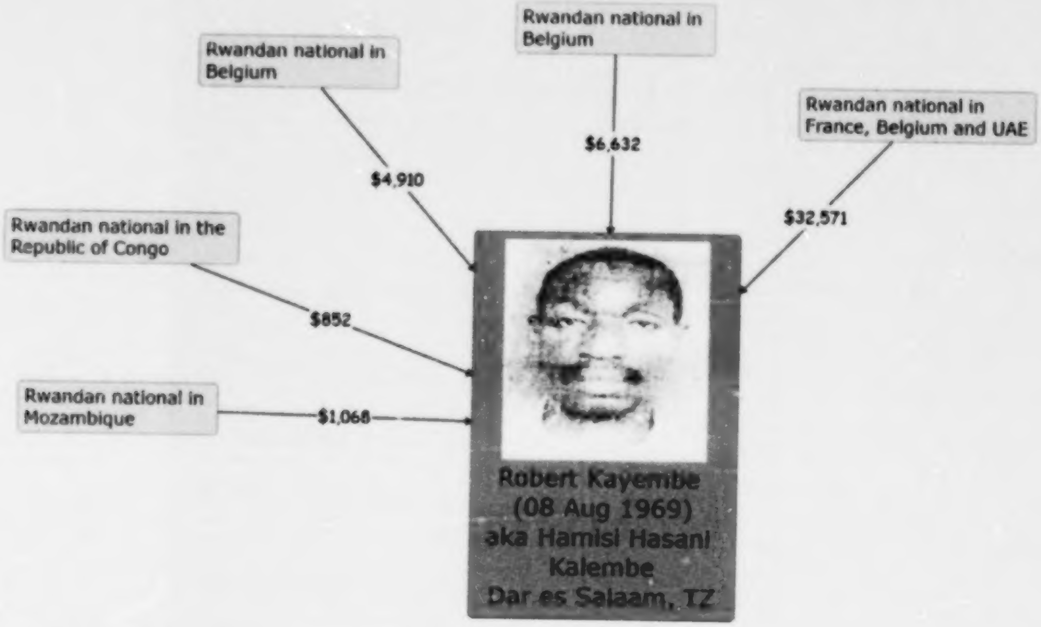
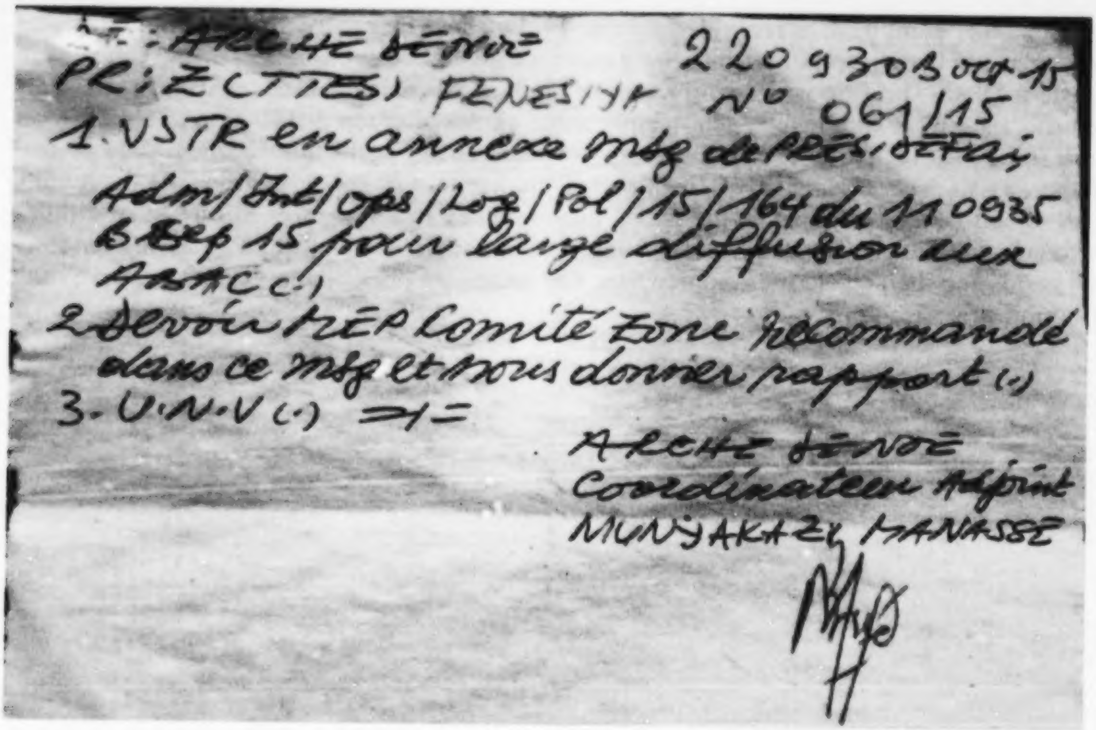

Rwandan national in Belgium
Rwandan national in Belgium
Rwandan national in France, Belgium and UAE
$6,632
$4,910
$32,571
Rwandan national in the Republic of Congo
$852
Rwandan national in Mozambique
$1,068
Robert Kayembe
(08 Aug 1969)
aka Hamisi Hasani Kalembe
Dar es Salaam, TZ

Diagram by the Group (January 2016)

Annex 16: FDLR benefiting from humanitarian aid

Notes of FDLR commanders recovered by the Group show that there were several strategies put into place to benefit from humanitarian assistance given to displaced people and refugees in the eastern DRC. The first was a simple tax in kind on the articles distributed. In the case of foodstuffs, the FDLR commander sent people to the camps after the distribution to collect a set portion from each recipient, or had the camp president do the collection for them. The second strategy was to take advantage of the flooded market in the goods distributed. Recipients wanted to sell certain amounts of the goods they received to allow them to buy other articles that weren't distributed. The commander fronted the money for an FDLR cadre to buy the low-priced goods and then resold them somewhere else where the prices hadn't been affected by the distribution.

Annex 17: FDLR income generation



DE : ARCHE DENOE = 220930B OCT 15

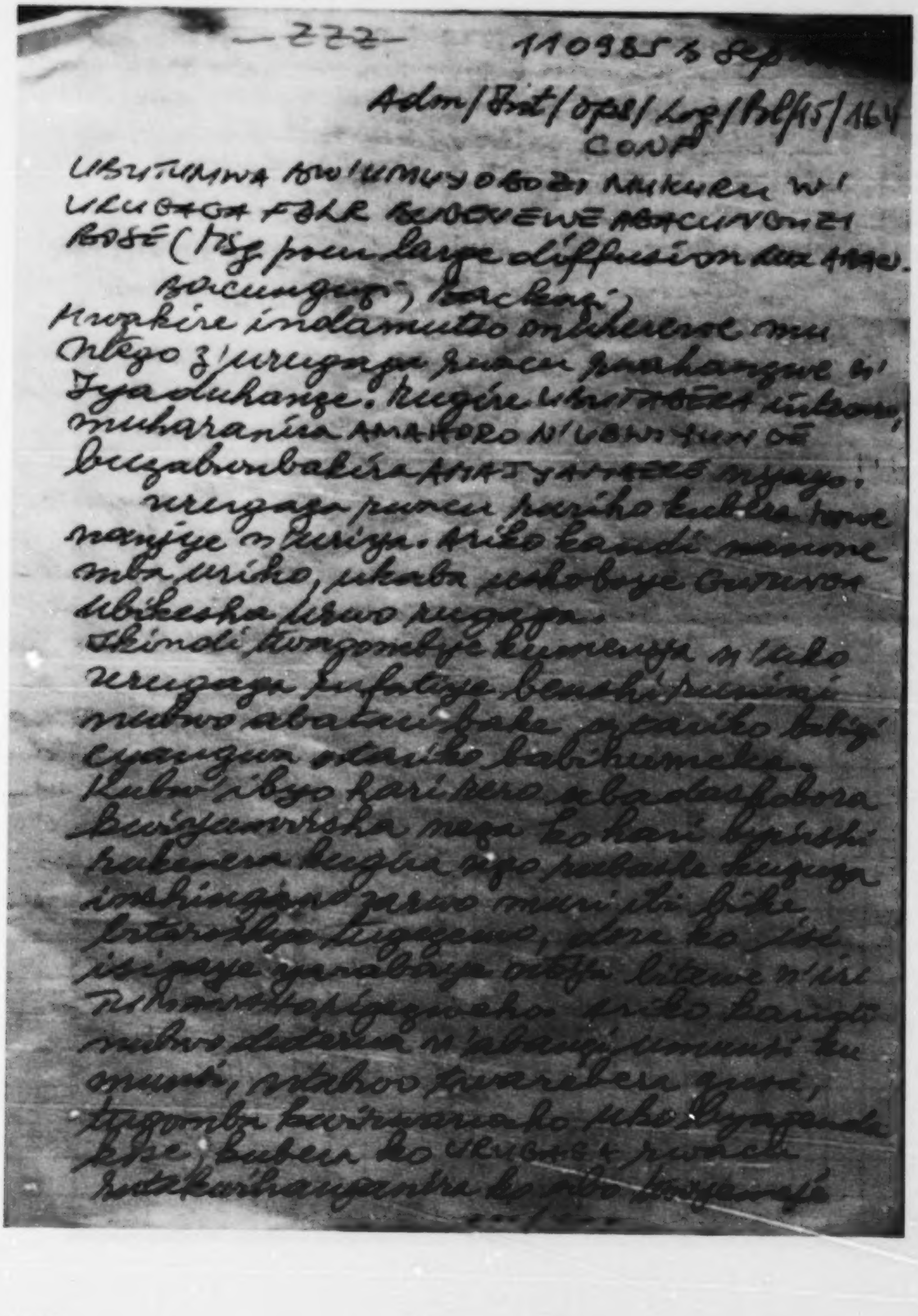
PR : ZC(TTES) FENESIYA N° 061/15

1. VSTR en annexe msg de PRESIDEFAI; Adm/Int/Ops/Log/Pol/15/164 du 110935 B Sep 15 pour large diffusion aux ABAC (.)

2. Devoir REP Comité Zone recommandé dans ce msg et nous donner rapport (.)

3. U.N.V (.) =/=

ARCHE DENOE
Coordinateur Adjoint
MUNYAKAZI MANASSE



— ZZZ — 110985 B Sep

Adm/Bat/OPS/Log/Bdl/15/164
CONF

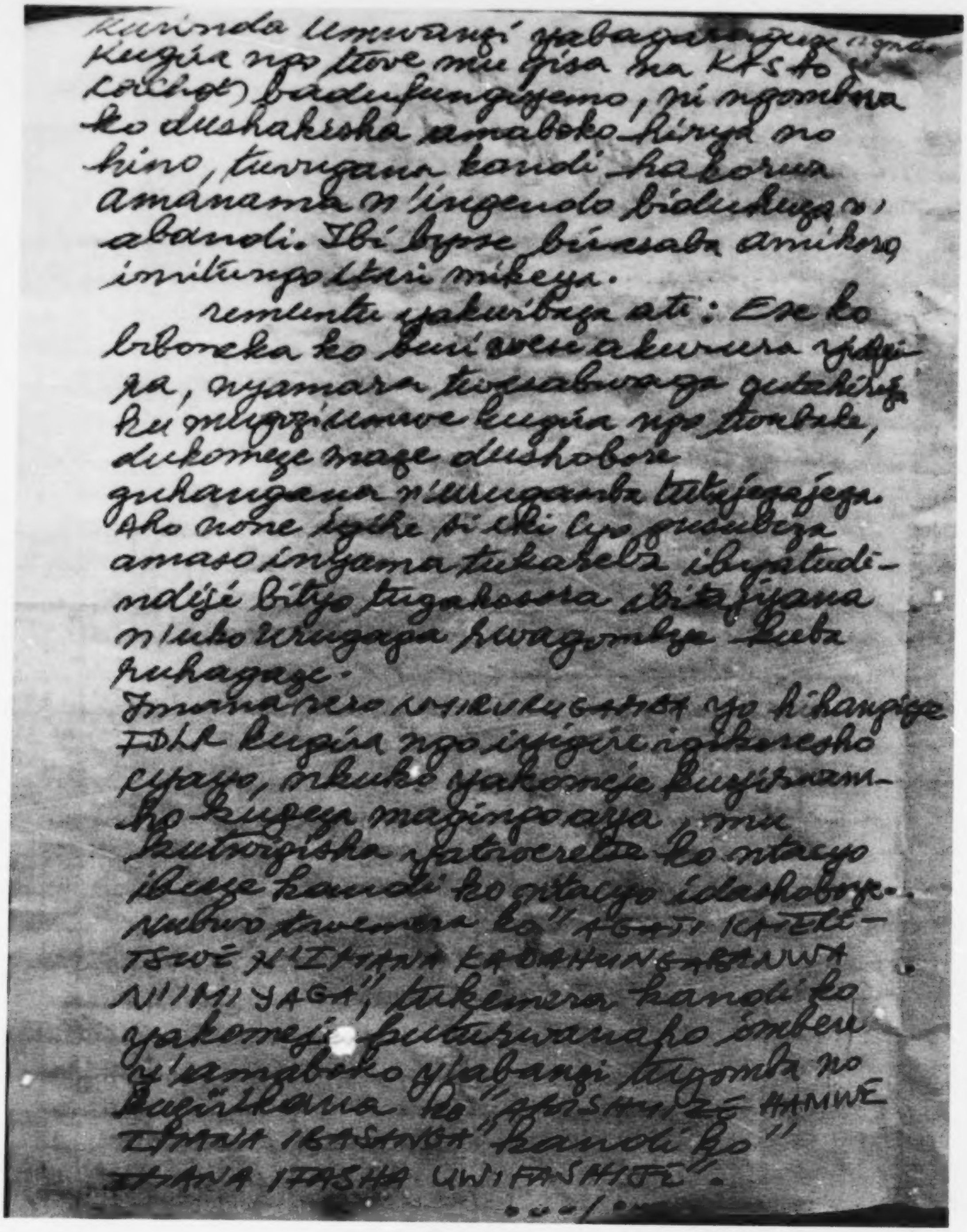
UBUTUMWA BW'UMUYOBOZI MUKURU W'
URUGAGA FDLR BUGENEWE ABACUNGUZI
BOSE (NB pour large diffusion aux Aba-
cunguzi, hackers)

Nyakire indamutso [illegible] mu ntego z'urugaga rwacu rwahanganye n'Igyaduhanze. Kugira UBUTABERA ukuri, muharanira AMAHORO N'UBWI[illegible] [illegible] bugabimbakira AMAJYAMBERE nyayo.

Urugaga rwacu ruriho kubera twese [illegible] n'[illegible]. Ariko kandi muzirikane ntabwo uriko, ukaba ushoboye [illegible] ubikesha [illegible] rugaga.

Ikindi kwongombye kumenya n'uko urugaga rufatiye benshi runini ntabwo abatarifashe [illegible] [illegible] cyangwa ntaruko babihumeka. Kubw'ibyo hari bero [illegible] kwiyemvisha neza ko hari byinshi kubera kugira ngo rubashe kugera imahingiro yarwo muri ibi bike [illegible] [illegible], ndore ko ibi [illegible] [illegible] [illegible] bitewe n'ibi [illegible] ariko kandi ntabwo dutewe n'abandi umuntu ku muntu, ntakoo twarebera gusa, tugomba kwihanama ko [illegible] [illegible] kose, kubera ko URUGAGA rwacu rutakwihanganira ko [illegible] [illegible]

…/…

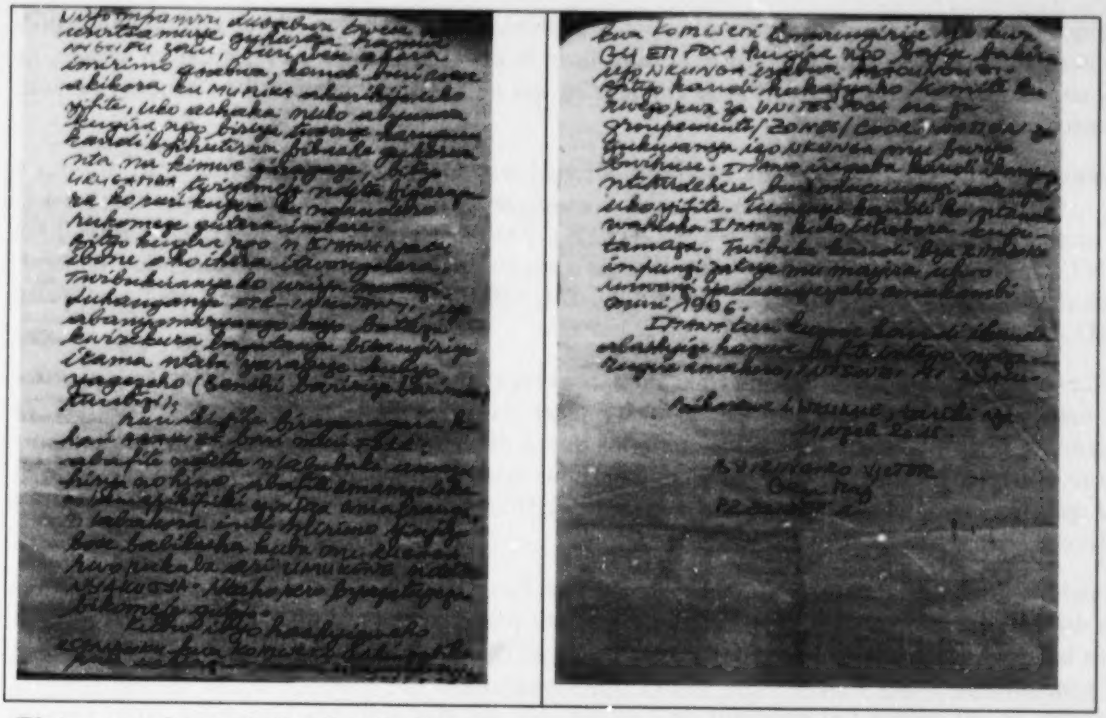


kurinda umwanzi yabagaragaje nga-
kugira ngo twe mu gisa na KTS to
Kotchot) badufungiyemo, ni ngombwa
ko dushakisha amaboko hirya no
hino, twiyuganya kandi hakorwa
amanama n'ingendo bidukuza n'
abandi. Ibi byose bisaba amikoro
imitungo itari mikeya.

umuntu yakwibaza ati: Ese ko
biboneka ko buri wese akwiriye gufashi-
za, nyamara twasabwaga gutekereza
ku mugizi umwe kugira ngo twubake,
dukomeze maze dushobore
guhangana n'urugamba tutajegajega.
Aho none byaba ari iki cyo gusubiza
amaso inyuma tukareba ibyatudi-
ndije bityo tugakosora ibitafiyana
n'uko urugaga rwagombye kuba
rukagaze.

Imanamero AMIRUKUGANGA yo hikangiye
FDLR kugira ngo iyigire igikoresho
cyayo, nkuko yakomeje kuyirwam-
ko kugeza magingo aya, mu
kutwigisha yatwereka ko ntacyo
ibaze kandi ko ntacyo idashoboye.
Nubwo twemera ko "ABATI KAVEKE-
TSWE N'IZINA KABAHUNGABANWA
N'IMIYAGA", twemera kandi ko
yakomeje gutubwanaho imbere
n'amaboko yabanzi tugomba no
kugitkana ko "AMASHAMI-HAMWE
IMANA IBASANGA" kandi ko"
IMANA IFASHA UWIFASHIJE".

..../...



Pictures and translation by the Group:

MESSAGE DU CHEF SUPREME DE LA PLATEFORME FDLR POUR TOUS LES LIBÉRATEURS (Message pour large diffusion aux libérateurs).

Libérateurs, Travailleurs,

Recevez nos salutations. Célébrons les objectifs de notre plateforme fondée par notre créateur. Ayez LA JUSTICE pour arme, luttant pour LA PAIX ET LA RECONCILIATION qui construira pour vous le vrai DEVELOPPEMENT.

C'est grâce à vous et moi que notre plateforme existe. Et vous pouvez, de plus, vous enrichir grâce à cette plateforme.

Ce qui est à savoir encore est que la plateforme est indispensable pour bon nombre même si grande partie en est inconsciente et n'en sait rien.

Cependant, il y a ceux qui ne comprennent toujours pas que la plateforme a besoin de beaucoup de choses pour l'accomplissement de ses objectifs en ces temps difficile. Le monde est devenu trop petit à cause de LA TELECOMMUNICATION actuelle. Nos ennemis nous attaquent chaque jour. Nous ne devons pas rester inactifs. Nous devons nous défendre. Notre PLATEFORME ne peut pas tolérer que l'ennemi nous fasse ce qu'il veut. Pour que nous sortions des prisons où ils nous ont mis, il nous faut chercher des renforts de part et d'autre. Il nous faut communiquer, voyager, nous réunir. Tout ceci exige des moyens et richesses énormes.

Quelqu'un peut se demander : comment est-il possible que chacun se retire, visiblement, alors que nous devons nous unir, construire et faire face. N'est-il pas temps de regarder en arrière, de voir ce qui nous a fait trainer, afin de corriger ce qui ne cadre pas avec le bon fonctionnement de notre plateforme ?

Le dieu PROPRIETAIRE de notre bataillon, a fondé les FDLR pour en faire Son outil. Il nous a toujours assisté jusqu'à maintenant. Il nous a enseigné rien ne Lui manque et que rien ne Lui est impossible. Nous savons que « CE QUI EST PAR DIEU NE S'AJOUTE PAS PAR LES VENTS », et nous acceptons encore qu'Il nous a toujours assisté devant les mains de l'ennemi. Nous devons de plus retenir que « CEUX QUI S'UNISSENT, DIEU LES REJOINT » et que « DIEU AIDE CELUI QUI S'AIDE ».

Raison pour laquelle nous devons tous faire converger nos FORCES. Chacun doit s'acquitter des taches qui lui incombent. Chacun doit puiser dans SA POCHE selon sa possibilité, sa volonté, et sa conviction pour que ce que nous avons dit ci-haut, si nécessaire, soit fait sans que rien ne s'arrête. LA BATAILLE dans laquelle nous nous sommes engagés est encore visible et tend positivement vers la fin. Pour que notre DIEU trouve par où commencer pour nous renforcer.

Rappelons-nous que l'ennemi auquel nous faisons face, le FPR-INKOTANYI, si ses membres ne s'étaient pas donnés sans réserve, ils ne seraient pas arrivés là où ils sont (la plupart s'était vidés les poches, ça nous le savons). En ce moment il est remarquable qu'il y a DES RICHES qui sont membres des FDLR : qui ont et qui construisent des maisons ici et là, qui ont des véhicules et des motos qui génèrent de l'argent, qui ont des activités lucratives. Tout ceci au nom de LA PLATEFORME, laquelle demeure PAUVRE et DEMUNIE. Nous ne pourrons arriver nulle part si cela continue ainsi.

En effet, il a été créé une CAISSE chez le commissaire exécutif charge de l'économie et finances, chez son Adjoint et chez le G4 de l'Etat-major FOCA pour qu'ils reçoivent ce FINANCEMENT demandé aux LIBERATEURS. Et qu'il soit établi un comité au niveau des UNITÉS FOCAS et des groupements/ZONES/COORDINATION afin que ces FINANCEMENTS soit collectés plus rapidement. Dieu donne et reprend. Evitons la paresse pour nous-mêmes. Que chaque libérateur donne selon ses moyens. On ne peut rien cacher, la réalité finit par se dévoiler. Rappelons-nous ces GROS CAMIONS que les réfugies ont abandonné en cours de route quand l'ennemi a détruit les camps où nous nous étions réfugiés en 1996.

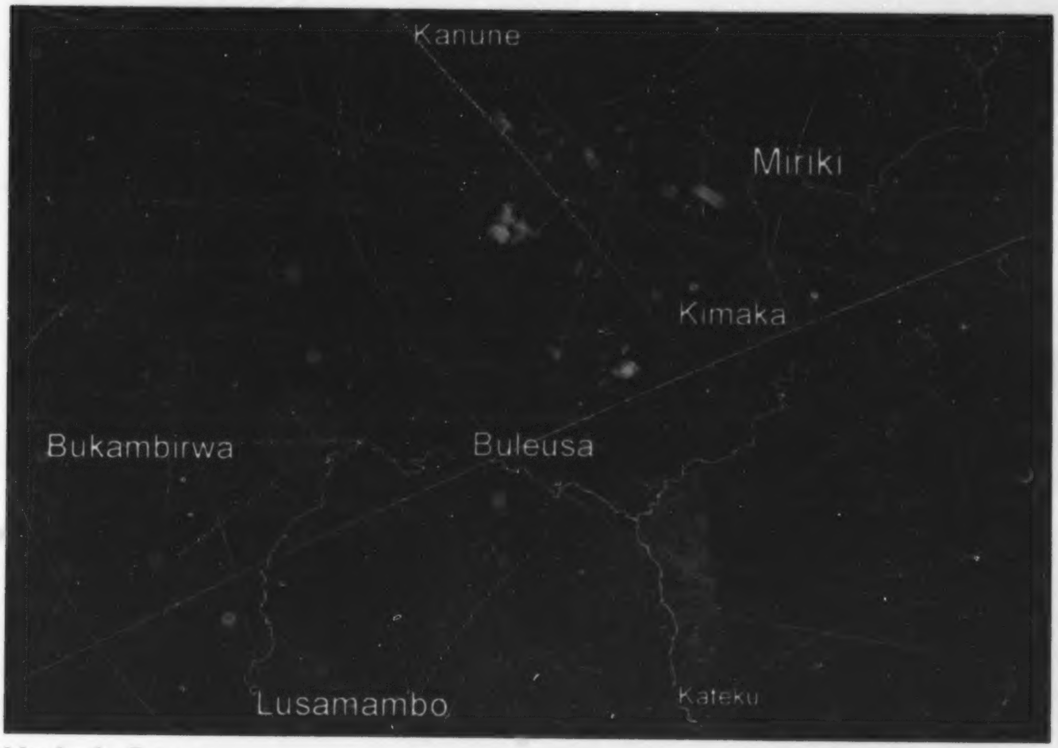
Nous sommes avec Dieu et Il aime ceux qui sont unis et qui ont une bonne vision.

Ayez la paix, LA VICTOIRE EST NOTRE.

Fait à WALIKALE, le 11 juin 2015
BYIRINGIRO VICTOR
Gen Maj
PRESIDEF ai

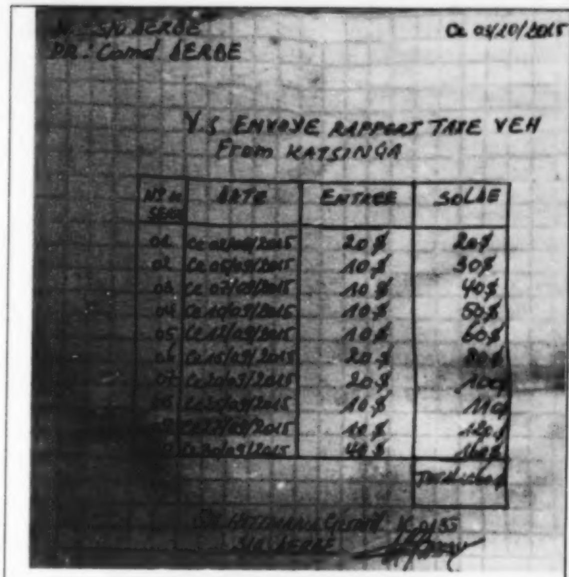
Annex 18: FDLR Derby Company positions

The FDLR Derby Company had posts in at least five locations around Buleusa in southern Lubero Territory and northern Rutshuru Territory (marked in red).



Map by the Group

Annex 19: FDLR taxation



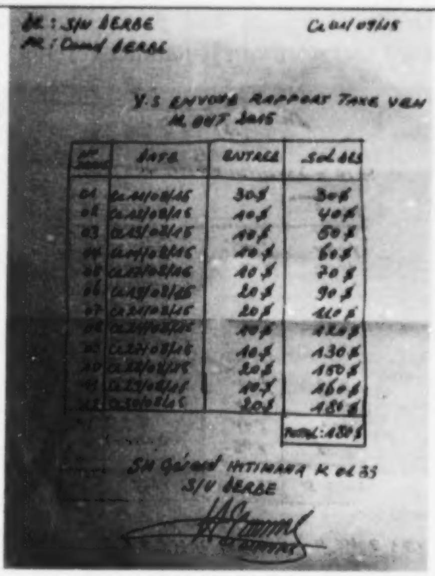
[illegible] S/U SERBE
DR : Comd SERBE

Ce 04/10/2015

Y.S ENVOYE RAPPORT TAXE VEH
From KATSINGA

N° de SERIE	DATE	ENTREE	SOLDE
01	Ce 02/09/2015	20 $	20 $
02	Ce 05/09/2015	10 $	30 $
03	Ce 07/09/2015	10 $	40 $
04	Ce 10/09/2015	10 $	50 $
05	Ce 12/09/2015	10 $	60 $
06	Ce 15/09/2015	20 $	80 $
07	Ce 20/09/2015	20 $	100 $
08	Ce 25/09/2015	10 $	110 $
09	Ce 27/09/2015	10 $	120 $
10	Ce 30/09/2015	40 $	160 $
			Total : 160 $

SM HITIMANA Gerard K 0155
S/U SERBE



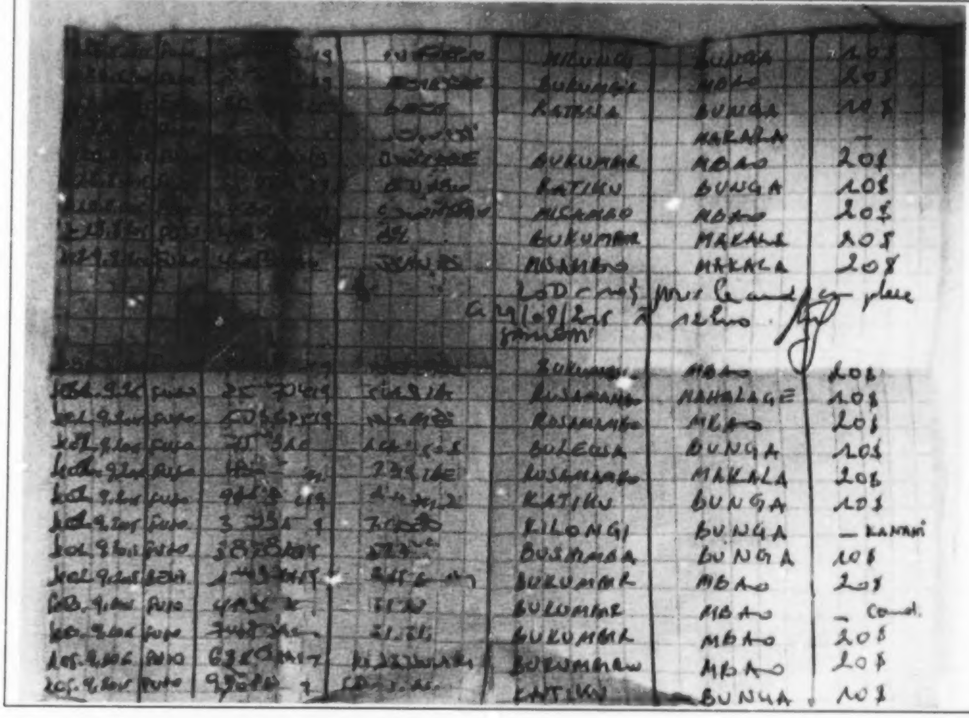
DE : S/U SERBE
AR : Comd SERBE

Ce 04/09/15

Y.S ENVOYE RAPPORT TAXE VEH
M. OUT 2015

N° Serie	DATE	ENTREE	SOLDES
01	Ce 01/08/15	30 $	30 $
02	Ce 02/08/15	10 $	40 $
03	Ce 03/08/15	10 $	50 $
04	Ce 07/08/15	10 $	60 $
05	Ce 12/08/15	10 $	70 $
06	Ce 15/08/15	20 $	90 $
07	Ce 21/08/15	20 $	110 $
08	Ce 24/08/15	10 $	120 $
09	Ce 27/08/15	10 $	130 $
10	Ce 28/08/15	20 $	150 $
11	Ce 29/08/15	10 $	160 $
12	Ce 30/08/15	20 $	180 $
			Total : 180 $

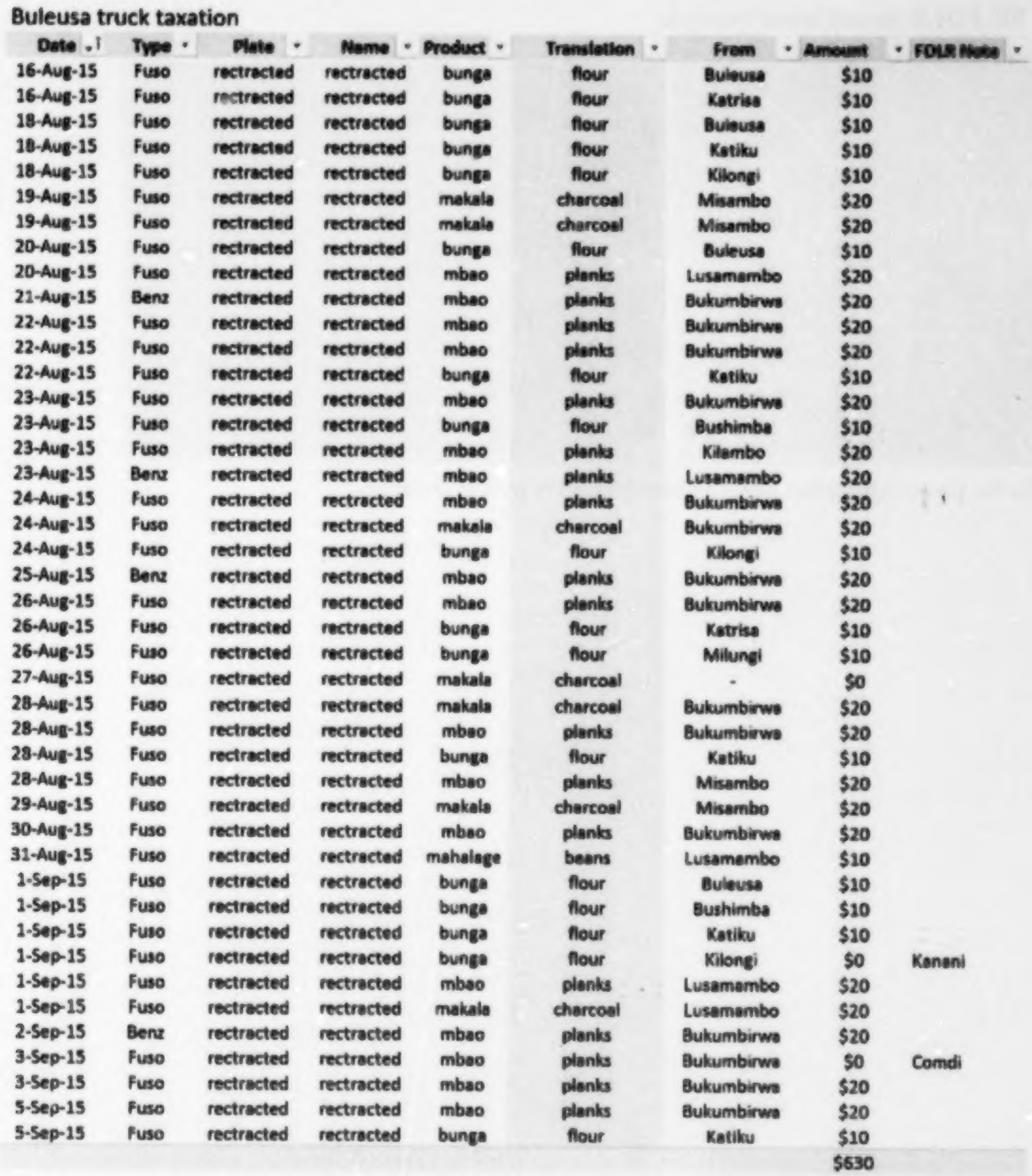
SM Gérard HITIMANA K 0135
S/U SERBE



MILUNGU	BUNGA	10 $
BUKUMBIR	MBAO	20 $
KATRUA	BUNGA	10 $
	MAKALA	—
BUKUMBIR	MBAO	20 $
KATIKU	BUNGA	10 $
MISAMBO	MBAO	20 $
BUKUMBIR	MAKALE	10 $
MUSAMBO	MAKALA	20 $

20D - [illegible] pour le comd [illegible] place
Ce 29/09/2015 à 12hrs
[illegible]

BUKUMBIR	MBAO	20 $
BUSAMANA	MAHALAGE	10 $
ROSAMANKA	MBAO	20 $
BULEGUA	BUNGA	10 $
BUSAMANGO	MAKALA	20 $
KATIKU	BUNGA	10 $
KILONGI	BUNGA	— KANANI
BUSAMBA	BUNGA	10 $
BUKUMBIR	MBAO	20 $
BULUMBIR	MBAO	— Comd.
BUKUMBIR	MBAO	20 $
BUKUMBIR	MBAO	20 $
KATIKU	BUNGA	10 $

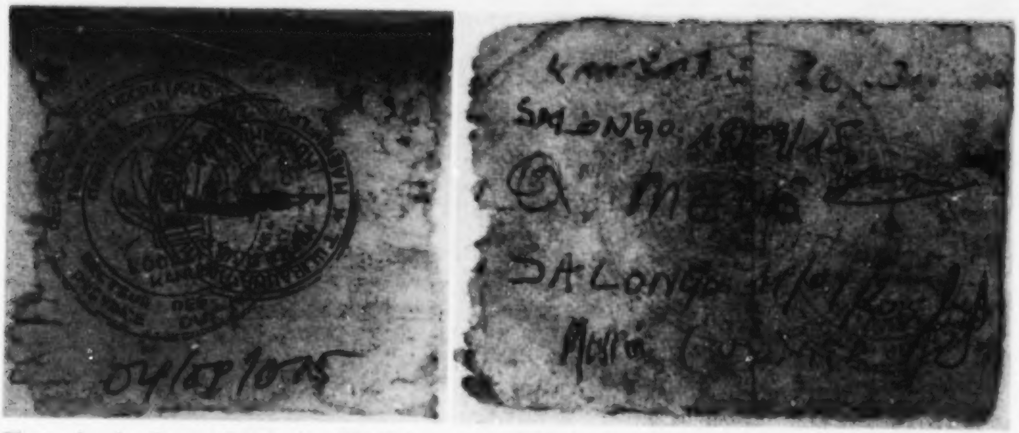


Buleusa truck taxation

Date	Type	Plate	Name	Product	Translation	From	Amount	FDLR Note
16-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Buleusa	$10	
16-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Katrisa	$10	
18-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Buleusa	$10	
18-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Katiku	$10	
18-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Kilongi	$10	
19-Aug-15	Fuso	rectracted	rectracted	makala	charcoal	Misambo	$20	
19-Aug-15	Fuso	rectracted	rectracted	makala	charcoal	Misambo	$20	
20-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Buleusa	$10	
20-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Lusamambo	$20	
21-Aug-15	Benz	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
22-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
22-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
22-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Katiku	$10	
23-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
23-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Bushimba	$10	
23-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Kilambo	$20	
23-Aug-15	Benz	rectracted	rectracted	mbao	planks	Lusamambo	$20	
24-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
24-Aug-15	Fuso	rectracted	rectracted	makala	charcoal	Bukumbirwa	$20	
24-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Kilongi	$10	
25-Aug-15	Benz	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
26-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
26-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Katrisa	$10	
26-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Milungi	$10	
27-Aug-15	Fuso	rectracted	rectracted	makala	charcoal	-	$0	
28-Aug-15	Fuso	rectracted	rectracted	makala	charcoal	Bukumbirwa	$20	
28-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
28-Aug-15	Fuso	rectracted	rectracted	bunga	flour	Katiku	$10	
28-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Misambo	$20	
29-Aug-15	Fuso	rectracted	rectracted	makala	charcoal	Misambo	$20	
30-Aug-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
31-Aug-15	Fuso	rectracted	rectracted	mahalage	beans	Lusamambo	$10	
1-Sep-15	Fuso	rectracted	rectracted	bunga	flour	Buleusa	$10	
1-Sep-15	Fuso	rectracted	rectracted	bunga	flour	Bushimba	$10	
1-Sep-15	Fuso	rectracted	rectracted	bunga	flour	Katiku	$10	
1-Sep-15	Fuso	rectracted	rectracted	bunga	flour	Kilongi	$0	Kanani
1-Sep-15	Fuso	rectracted	rectracted	mbao	planks	Lusamambo	$20	
1-Sep-15	Fuso	rectracted	rectracted	makala	charcoal	Lusamambo	$20	
2-Sep-15	Benz	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
3-Sep-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$0	Comdi
3-Sep-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
5-Sep-15	Fuso	rectracted	rectracted	mbao	planks	Bukumbirwa	$20	
5-Sep-15	Fuso	rectracted	rectracted	bunga	flour	Katiku	$10	
							$630	

Pictures and charts by the Group (December 2015) / names blurred or retracted to protect identities

Annex 20: FDLR forced labor receipts



Photos by the Group (December 2015) / names blurred to protect identities

Annex 21: Tabara weaponry recovered in Mutarule

Photo by the Group (February 2016)

The Group inspected all of the weapons recovered by the FARDC the day after they were found in Mutarule. Some of the assault rifles had been mixed with those from captured elements of other armed groups, and are therefore not included in this analysis, but the light machine guns and heavy weapons were all found in the Tabare cache. The Group notes that all of the models are known to be in circulation in the region.

- AGS-17 35 mm grenade-launcher (serial number ++ ГИ417+++) with characteristics similar to those manufactured in the former Union of Soviet Socialist Republics (USSR).
- Type 80 general-purpose machine gun (serial number ++280043++) with characteristics similar to those manufactured in the People's Republic of China.
- DMP machine gun (serial number ++MA304++) with characteristics similar to those manufactured in the former Yugoslavia.
- Two W85 12.7 mm machine guns (serial numbers ++120459++ and ++230281++) with characteristics similar to those manufactured in the People's Republic of China.
- N Brandt 81 mm mortar tube (serial number ++56++) with characteristics similar to those manufactured in France.

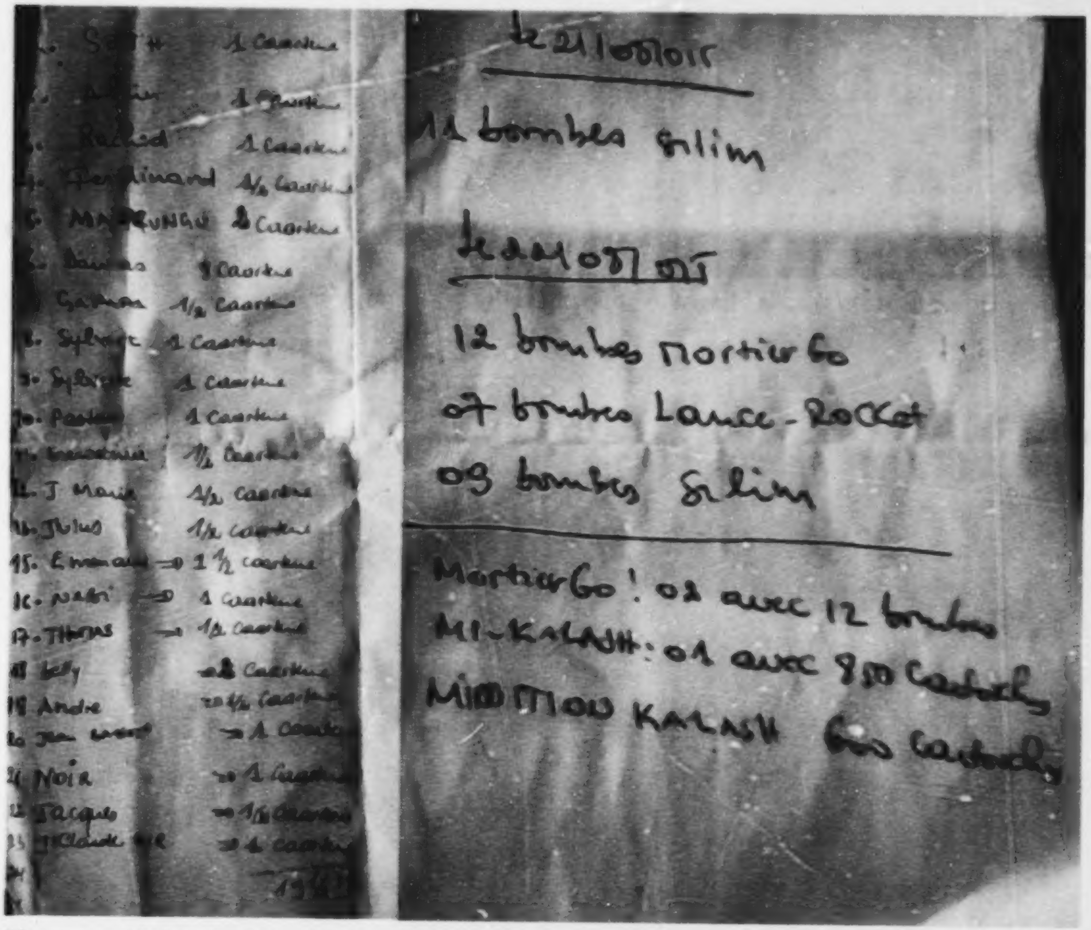
Annex 22: Tabara ammunition headstamps

Caliber	Headstamp	Yr	Characteristics similar to those manufactured in
7.62 x 54R mm	61 / 07	2007	China
7.62 x 54R mm	945 / 07	2007	China
7.62 x 54R mm	71 / 98	1998	China
7.62 x 54R mm	71 / 75	1975	China
7.62 x 54R mm	10 / 71	1971	Bulgaria
7.62 x 51 mm	SU / 1 / 51 / 01	2001	Sudan
7.62 x 51 mm	HXP / 83 / (+)	1983	Greece
7.62 x 51 mm	HXP / 79 / (+)	1979	Greece
7.62 x 51 mm	HXP / 78 / (+)	1978	Greece
7.62 x 51 mm	R1 / M1 / A78 / 7.62	1978	South Africa
7.62 x 51 mm	FN / 71 / (+)	1971	Belgium
7.62 x 39 mm	031 / 704	unknown	China
7.62 x 39 mm	92 / Z1	1992	Zimbabwe
7.62 x 39 mm	ПУУ / 1981	1981	former Yugoslavia
7.62 x 39 mm	ИК / 1980	1980	former Yugoslavia
7.62 x 39 mm	ИК / 1976	1976	former Yugoslavia
7.62 x 39 mm	911 / 76	1976	China
7.62 x 39 mm	04 / 73	1973	former E Germany
7.62 x 39 mm	71 / 71	1971	China
7.62 x 39 mm	964 / 71	1971	China
7.62 x 39 mm	539 / E	1954	Russia
7.62 x 39 mm	270 / Г	1952	Ukraine
12.7 x 108 mm	11 / 07	2007	China
12.7 x 108 mm	41 / 05	2005	China
12.7 x 108 mm	41 / 97	1997	China
12.7 x 108 mm	11 / 90	1990	China
12.7 x 108 mm	188 / 88	1988	former USSR
12.7 x 108 mm	188 / 84	1984	former USSR
12.7 x 108 mm	371 / 79	1979	China
12.7 x 108 mm	361 / 76	1976	Poland
12.7 x 108 mm	9381 / 74	1974	China
12.7 x 108 mm	41 / 69	1969	China
12.7 x 108 mm	41 / 67	1967	China

Table by the Group

Annex 23: Tabara combatant and weapons lists found in Mutarule

The FARDC told the Group that they recovered the following two documents in the Mutarule. One shows a list of Tabara combatants. The second document shows a list of weapons and ammunition received on 21 and 22 August 2015.



1. S[illegible]	1 Cartouche
2. [illegible]	1 Cartouche
3. Rachid	1 Cartouche
4. Ferdinand	1/2 Cartouche
5. MA[illegible]UNGU	2 Cartouche
6. Damas	1 Cartouche
7. Gahuma	1/2 Cartouche
8. Sylvere	1 Cartouche
9. Sylvestre	1 Cartouche
10. [illegible]	1 Cartouche
11. [illegible]	1/2 Cartouche
12. J Marie	1/2 Cartouche
14. Julus	1/2 Cartouche
15. Emmanuel →	1 1/2 Cartouche
16. Nabi →	1 Cartouche
17. Thomas →	1/2 Cartouche
18 Willy	→ 2 Cartouche
19 Andre	→ 1/2 Cartouche
20 Jean [illegible]	→ 1 Cartouche
21 Noir	→ 1 Cartouche
22 Jacques	→ 1/2 Cartouche
23 J Claude [illegible]	→ 1 Cartouche
	19[illegible]

Le 21/08/015

11 bombes Silim

Le 22/08/015

12 bombes Mortier 60

07 bombes Lance-Rocket

09 bombes Silim

Mortier 60 : 02 avec 12 bombes

MI-KALASH : 01 avec 850 Cartouches

MIDDIMOU KALASH 600 Cartouches

Photos provided to the Group by the FARDC (February 2016)

Annex 24: Forged Congolese voter card

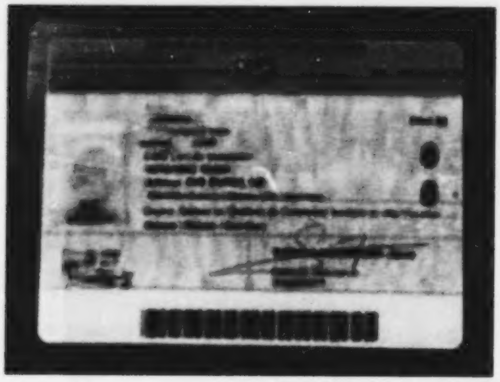
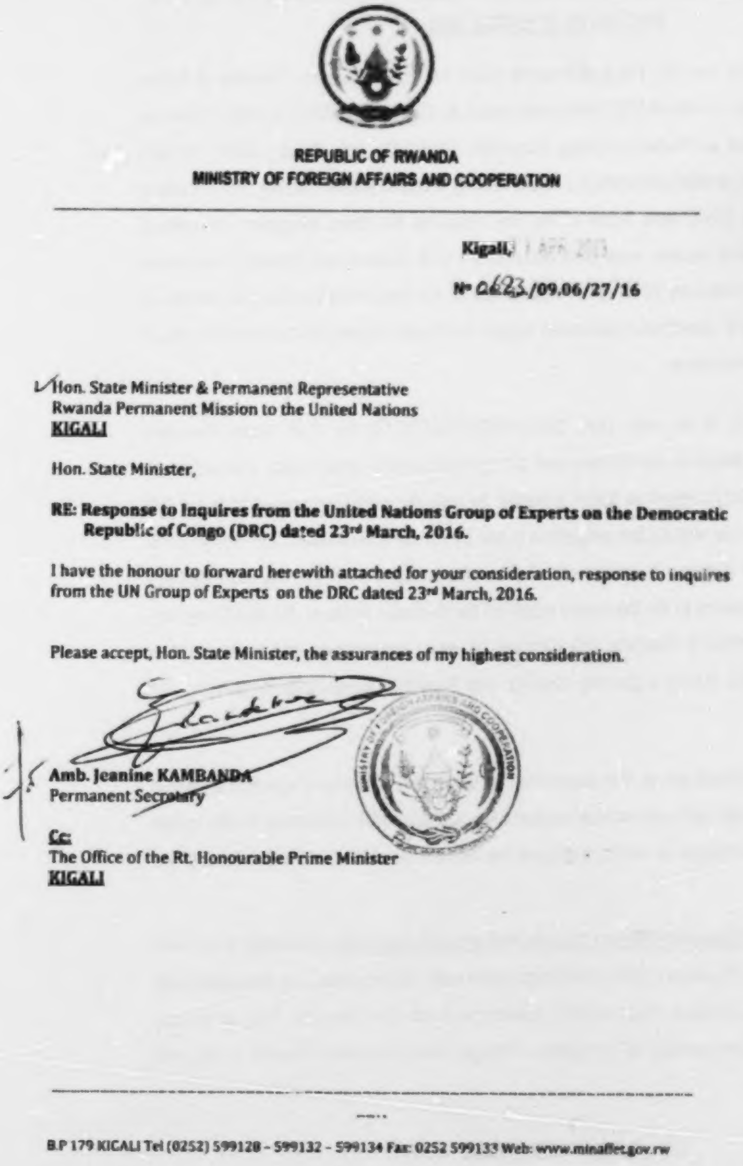


Photo by the Group (2015) / details blurred to protect identity

Annex 25: Response to the Group from the Government of Rwanda

Published with the permission of the Government of Rwanda:



REPUBLIC OF RWANDA
MINISTRY OF FOREIGN AFFAIRS AND COOPERATION

Kigali, 1 APR 2016

N° 0623/09.06/27/16

Hon. State Minister & Permanent Representative
Rwanda Permanent Mission to the United Nations
KIGALI

Hon. State Minister,

RE: Response to Inquires from the United Nations Group of Experts on the Democratic Republic of Congo (DRC) dated 23rd March, 2016.

I have the honour to forward herewith attached for your consideration, response to inquires from the UN Group of Experts on the DRC dated 23rd March, 2016.

Please accept, Hon. State Minister, the assurances of my highest consideration.

Amb. Jeanine KAMBANDA
Permanent Secretary

Cc:
The Office of the Rt. Honourable Prime Minister
KIGALI

B.P 179 KIGALI Tel (0252) 599128 – 599132 – 599134 Fax: 0252 599133 Web: www.minaffet.gov.rw

GOVERNMENT OF RWANDA RESPONSE TO INQUIRIES FROM THE UN GROUP OF EXPERTS ON DRC DATED 23 MARCH 2016

1. On 15 January 2016, the UN Group of Experts (GoE) for the Democratic Republic of Congo (DRC) submitted a progress update (NOTE.1/Add.1) referenced as: S/AC.43/2016/NOTE.1/Add.1.The note made broad allegation stated as "Rwanda training Burundian rebels". On 28th January 2016, the GoE travelled to Rwanda and met several government officials. During the consultative meeting, the officials of the Government of Rwanda (GoR) were aware of the GoE report on the above allegation. Attempts to discuss the matter in the same session were futile because the GoE astonishingly denied having made such report. However, on 4th February 2016, in an email to one of the GoR officials at the UN Permanent Mission in New York, the GoE coordinator expressed regrets for having feigned ignorance of the report ostensibly due to its confidential nature.

2. On 23rd March 2016, in its letter (Ref: S/AC.43/2016/GE/OC.14) the GoE seeks Rwanda's response on five allegations based on testimonies from anonymous sources which would ordinarily merit no response. However, the GoR's response below is guided by both the assertions contained in the 15th January 2016 progress report as well as five allegations made by the GoE letter dated 23rd March 2016. Allegations against the GoR include: **(i)** recruitment of Burundian citizens from the Mahama Refugee Camp; **(ii)** providing military training to the Burundian rebels on the Rwandan territory; **(iii)** fake Congolese electoral identity cards fabricated in Rwanda; **(iv)** shipment of arms, ammunitions and communication equipment to Burundian rebels; and **(v)** organizing meetings with Burundian combatants for planning and coordination purposes.

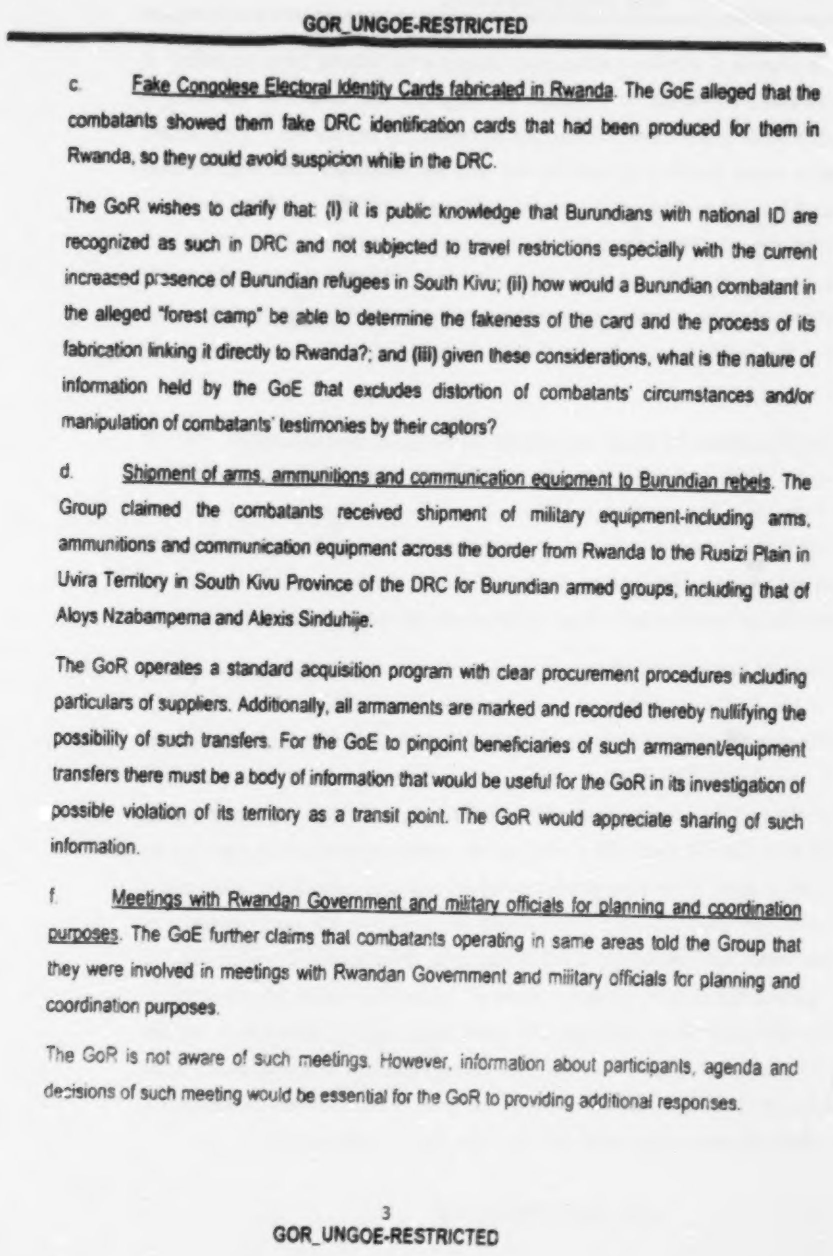
3 Considering the anonymous nature of sources relied on by the GoE and lack of specifics regarding each of the allegations, the GoR can only provide perspectives and contextual responses in this regard which would assist the GoE to discard or better investigate the testimonies without attributing them to the GoR at the first instance.

a. Recruitment of Burundian citizens from the Mahama Refugee Camp. According to the GoE progress report dated 5th January 2016, the Group spoke with 18 Burundian, not associated with the Front National de Liberation (FNL), in Uvira Territory of South Kivu Province. They all told the Group that they had been recruited in the Mahama Refugee Camp in eastern Rwanda in May and June 2015.

The GoR is unaware of recruitment of Burundian refugees in the Mahama Camp. Additionally, in spite of Rwanda's commitment to investigate any allegations that compromise the safety of refugees in Rwanda or undermine the sovereignty of Rwandan territory, the nature of this account gives rise to several questions: (i) does the GoE have any identification information for those individuals that could be matched with existing databases of UNHCR and Camp records to ascertain that they were indeed refugees in Rwanda and reasons for their exit if at all?; (ii) does the Group have any information regarding when those recruits left the refugee camp and whether this recruitment was a one off activity or whether it is a frequent activity?; and (iii) the GoR receives reports from the Camp management and none of them contains information regarding recruitment activities.

b. Providing military training to the Burundian rebels on the Rwandan territory. The GoE claims that the alleged combatants were given two months of military training by instructors, who included Rwandan military personnel, in a forest camp in Rwanda. That their training included military tactics and the maintenance and use of assault rifles and machine guns, as well as ideological and morale-building sessions. Some told the group that they were also trained in the use of grenades, anti-personnel and anti-tank mines, mortars and rocket-propelled grenades.

The GoR believes that there must be a reasonable degree of accuracy to this allegation in order for the GoE to seek the Government's response on this matter. Considerations of basic facts/factors would easily disprove this allegation. For example: (i) did the GoE obtain enough information leading to clear identification of both the training area and the trainers?; (ii) does the military experts among the GoE believe that such military skill sets would be imparted to such a group within a period of sixty (60) days?; (iii) In case the GoE operating assumption was that these so-called racruits were part of the larger group prepared and organized to topple the Government of Burundi (GoB), why would opposition military leaders rely on training 400 young refugees in an environment fraught with members of just-disbanded units, demobilized FAB soldiers and FNL fighters, deserters and all sorts of military defectors?; (iv) the GoE claims that among the 18 combatants, there were seven minors and they further assert that their trainers knew that they were minors. Information obtained from intelligence sources (available for review) disproves this assertion since the group of combatants referred to, comprised of adults with only one individual of 17 years of age who does not even qualify as child soldier under international law.



c. Fake Congolese Electoral Identity Cards fabricated in Rwanda. The GoE alleged that the combatants showed them fake DRC identification cards that had been produced for them in Rwanda, so they could avoid suspicion while in the DRC.

The GoR wishes to clarify that: (I) it is public knowledge that Burundians with national ID are recognized as such in DRC and not subjected to travel restrictions especially with the current increased presence of Burundian refugees in South Kivu; (ii) how would a Burundian combatant in the alleged "forest camp" be able to determine the fakeness of the card and the process of its fabrication linking it directly to Rwanda?; and (iii) given these considerations, what is the nature of information held by the GoE that excludes distortion of combatants' circumstances and/or manipulation of combatants' testimonies by their captors?

d. Shipment of arms, ammunitions and communication equipment to Burundian rebels. The Group claimed the combatants received shipment of military equipment-including arms, ammunitions and communication equipment across the border from Rwanda to the Rusizi Plain in Uvira Territory in South Kivu Province of the DRC for Burundian armed groups, including that of Aloys Nzabampema and Alexis Sinduhije.

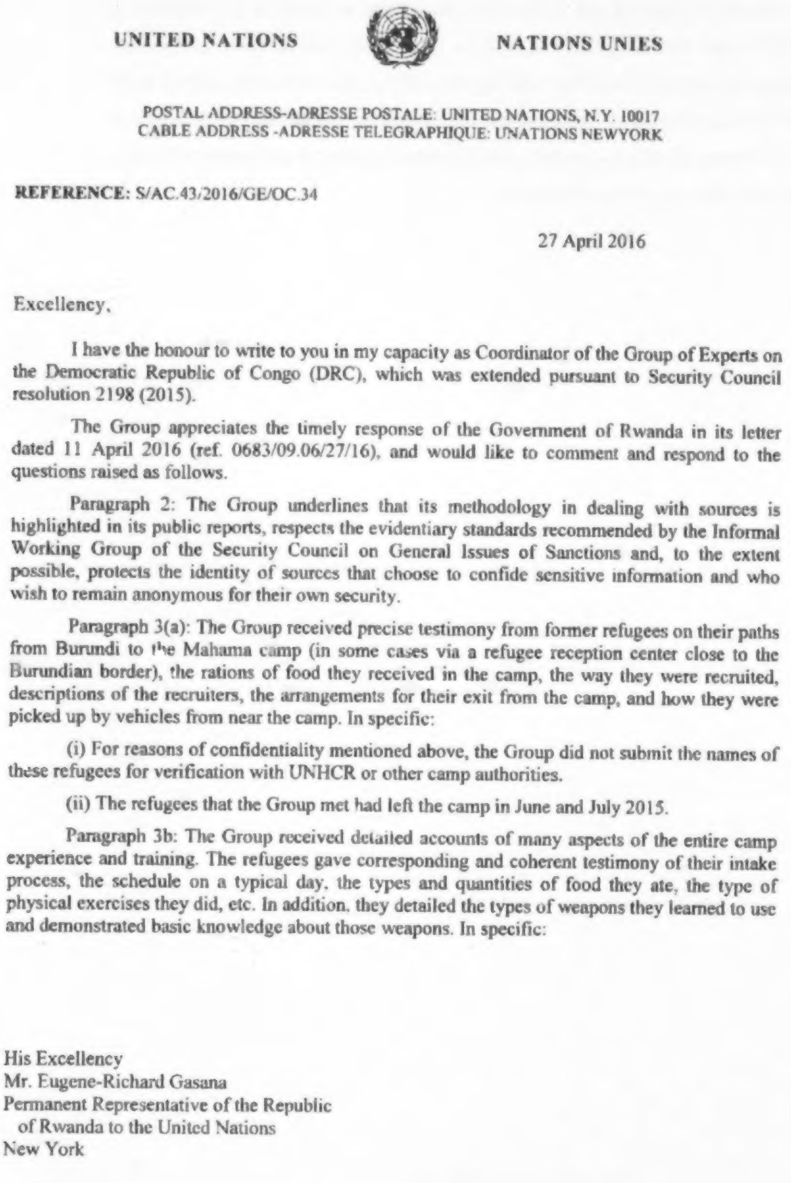
The GoR operates a standard acquisition program with clear procurement procedures including particulars of suppliers. Additionally, all armaments are marked and recorded thereby nullifying the possibility of such transfers. For the GoE to pinpoint beneficiaries of such armament/equipment transfers there must be a body of information that would be useful for the GoR in its investigation of possible violation of its territory as a transit point. The GoR would appreciate sharing of such information.

f. Meetings with Rwandan Government and military officials for planning and coordination purposes. The GoE further claims that combatants operating in same areas told the Group that they were involved in meetings with Rwandan Government and military officials for planning and coordination purposes.

The GoR is not aware of such meetings. However, information about participants, agenda and decisions of such meeting would be essential for the GoR to providing additional responses.

4. The GoR reiterates the fact that due to the broad and ambiguous nature of the allegations as contained in the GoE's letter Ref: S/AC.43/2016/GE/OC.14, its responses are limited to perspectives, alternative approaches and context. It is further noted by the GoR that the methodology applied so far, neither guarantees the preservation of nor the commitment to the elevated evidentially standards claimed by the Group. The GoR further believes that the GoE should desist from actions or insinuations that make it one of the sources of escalation of conflicts in the region.

Annex 26: Letter from the Group to the Government of Rwanda



UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS-ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017
CABLE ADDRESS -ADRESSE TELEGRAPHIQUE: UNATIONS NEWYORK

REFERENCE: S/AC.43/2016/GE/OC.34

27 April 2016

Excellency,

I have the honour to write to you in my capacity as Coordinator of the Group of Experts on the Democratic Republic of Congo (DRC), which was extended pursuant to Security Council resolution 2198 (2015).

The Group appreciates the timely response of the Government of Rwanda in its letter dated 11 April 2016 (ref. 0683/09.06/27/16), and would like to comment and respond to the questions raised as follows.

Paragraph 2: The Group underlines that its methodology in dealing with sources is highlighted in its public reports, respects the evidentiary standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions and, to the extent possible, protects the identity of sources that choose to confide sensitive information and who wish to remain anonymous for their own security.

Paragraph 3(a): The Group received precise testimony from former refugees on their paths from Burundi to the Mahama camp (in some cases via a refugee reception center close to the Burundian border), the rations of food they received in the camp, the way they were recruited, descriptions of the recruiters, the arrangements for their exit from the camp, and how they were picked up by vehicles from near the camp. In specific:

(i) For reasons of confidentiality mentioned above, the Group did not submit the names of these refugees for verification with UNHCR or other camp authorities.

(ii) The refugees that the Group met had left the camp in June and July 2015.

Paragraph 3b: The Group received detailed accounts of many aspects of the entire camp experience and training. The refugees gave corresponding and coherent testimony of their intake process, the schedule on a typical day, the types and quantities of food they ate, the type of physical exercises they did, etc. In addition, they detailed the types of weapons they learned to use and demonstrated basic knowledge about those weapons. In specific:

His Excellency
Mr. Eugene-Richard Gasana
Permanent Representative of the Republic
  of Rwanda to the United Nations
New York

(i) The Group is not precise about the location of the camp, because most of the refugees were also uncertain about the exact location. Some of them had never been to Rwanda before they moved to the refugee camp and were therefore unfamiliar with the country. In addition, the movement from the refugee camp to the training camp was done overnight, and in the case of some of the refugees, they were transported in the back of military truck that was covered with a tarp. They were, however, able to draw diagrams of the camp and explain what geographical landmarks were visible from the camp. This information was not sufficient, however, for the Group to determine the exact location of the camp. The Group received information about 21 different trainers, but not all of the refugees had the same trainers, since they were not all in the same group within the camp. Some of the names were cited by the majority of the refugees, though, such as "James," who was seen as the main authority figure. In specific:

(ii) The Group, based on military trainings provided in other countries which last from 8-12 weeks, believes that an 8-week intense training programme would provide the necessary knowledge to be prepared and operative in a combat scenario.

(iii) The Group does not wish to speculate as to why these refugees were given military training. The recruits' testimony to the Group was that they were being trained to oppose Burundian President Pierre Nkurunziza.

(iv) Of the 18 recruits the Group spoke with, six were identified as minors by MONUSCO's Child Protection Section. The Group would be interested in obtaining a copy of the intelligence information sources referred to by the Government in its letter, in order to proceed with its investigations.

Paragraph 3c: The Group received detailed testimony as to the process the recruits went through to receive the fake Congolese electoral identification cards. Recruits told the Group that people arrived in a white truck with the necessary supplies to take their pictures in the camp, including a camera, shirts for the recruits to change into, so they wouldn't be wearing uniforms in the pictures, and a white sheet to serve as background. The recruits received their ID cards shortly before they were sent across the border into the DRC. In most cases, the cards kept the real given name of the recruit, but changed the family name. In specific:

(i) The Group received testimony that the purpose of the new ID cards was to facilitate the unnoticed movement of the recruits.

(ii) As noted above, the Group presents the fact that the recruits described the process of having their pictures taken for the IDs while they were in the training camp. The recruits were not Congolese and noted that information and data for the preparation of IDs were collected in a foreign camp, outside of an official governmental building and by individuals who did not identify themselves as Congolese officials. The Groups considers these elements as valid and sufficient to conclude that the ID cards were forged.

(iii) The Group recognizes the possibility of witnesses being manipulated; however, it retains the prerogative to evaluate and analyse the information collected, as part of its mandate. In this context, the Group considered the sources reliable.

Concerning paragraphs 3d and 3f, the Group does not have additional information to share at this time.

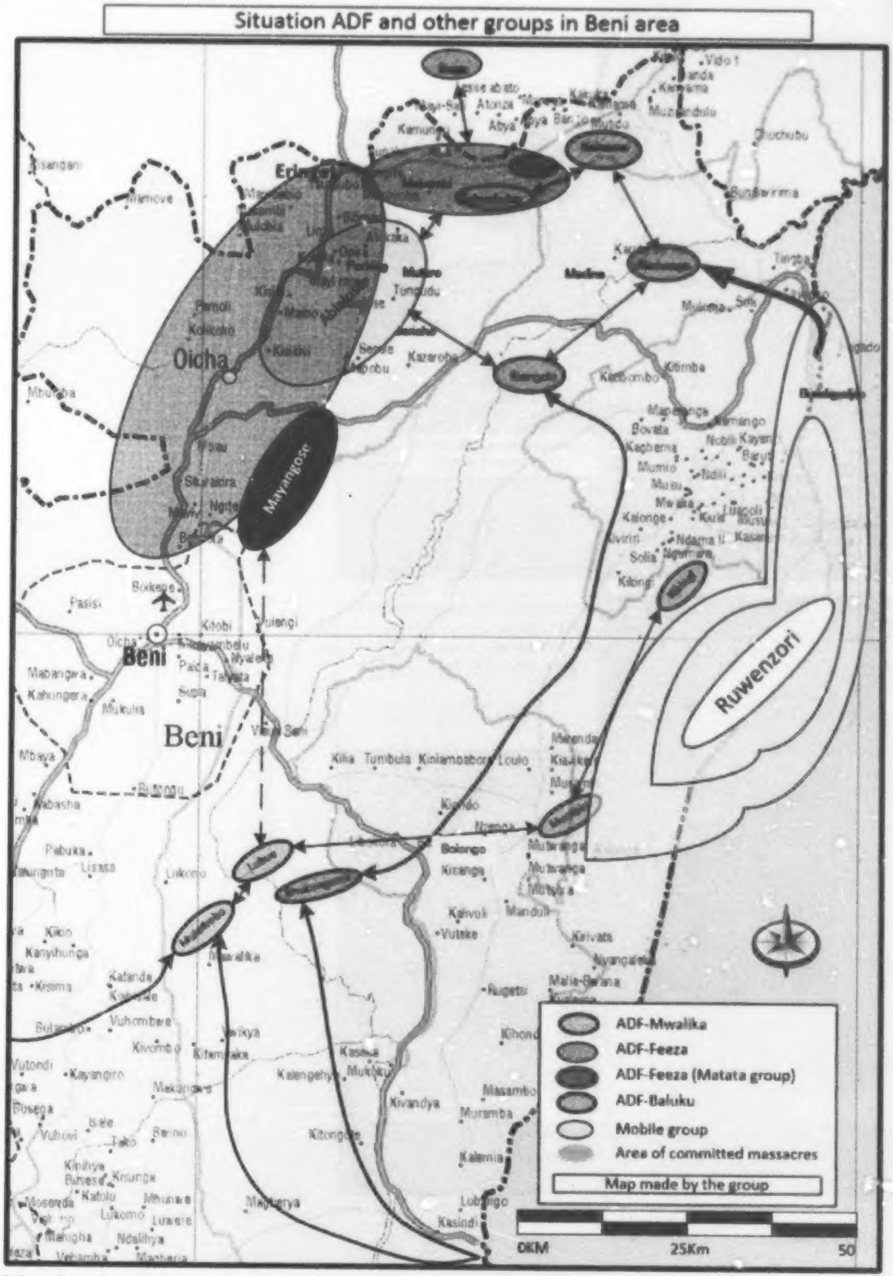
The Group of Experts would like to recall that pursuant to paragraph 8 of resolution 2198 (2015) the Security Council "encourages further that all parties and all States ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control and reiterates its demand that all parties and all States ensure the safety of its members and its support staff, and that all parties and all States, including the DRC and countries of the region, provide unhindered and immediate access, in particular to persons, documents and sites the Group of Experts deems relevant to the execution of its mandate".

I would be grateful if you could transmit any further relevant information on the topics addressed by 26 May 2016 to Ms. Melanie Ramjoué, Secretary, Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo; United Nations Sect., 2 UN Plaza, DC2 2040, New York, NY, 10017; tel.: 1-212-963-1337; fax: 1-212-963-1300; e-mail address: ramjoue@un.org.

Please accept, Excellency, the assurances of my highest consideration.

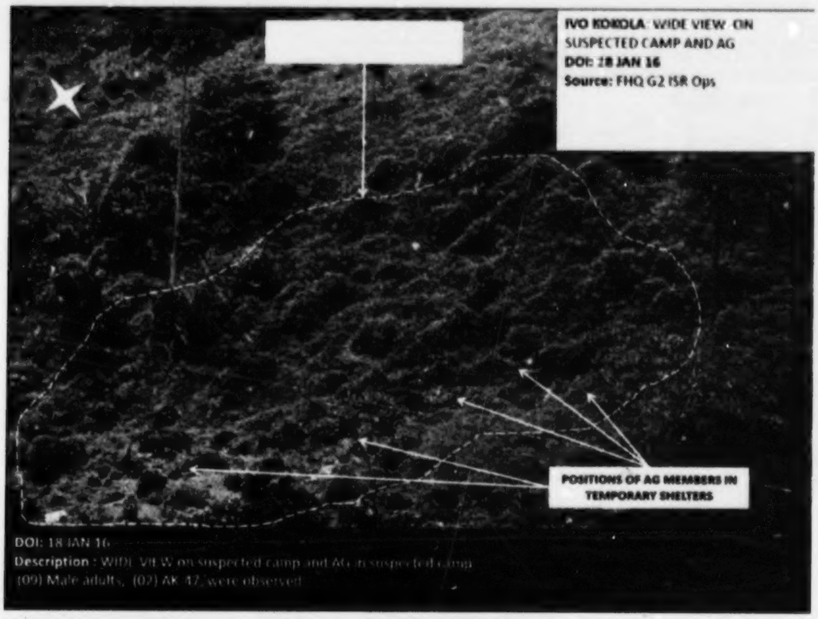
Gaston Gramajo
Coordinator
Group of Experts on the DRC
extended pursuant to Security Council
resolution 2198 (2015)

Annex 27: Armed group locations in Beni Territory



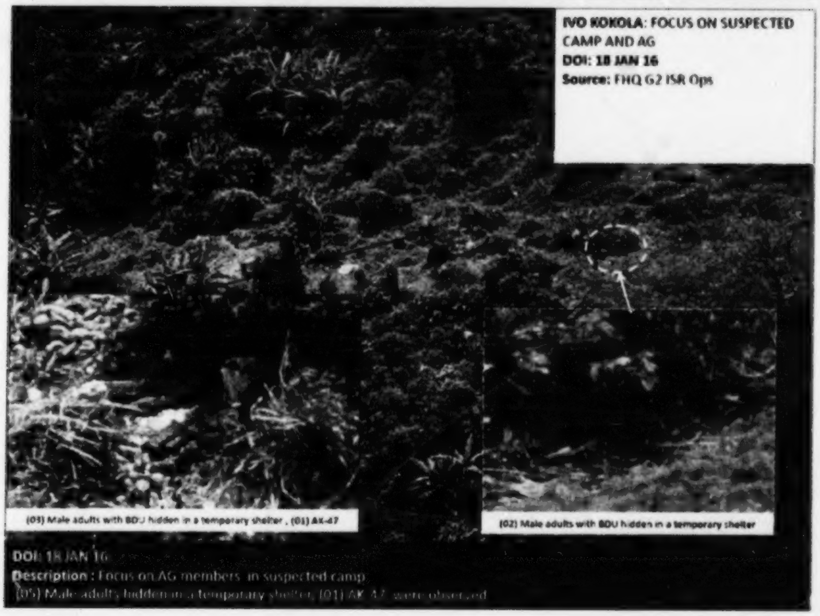
Map by the Group (April 2016)

Mobile Unit in the Mayangose area



IVO KOKOLA: WIDE VIEW ON SUSPECTED CAMP AND AG
DOI: 18 JAN 16
Source: FHQ G2 ISR Ops

DOI: 18 JAN 16
Description : WIDE VIEW on suspected camp and AG in suspected camp
(09) Male adults, (02) AK 47 were observed

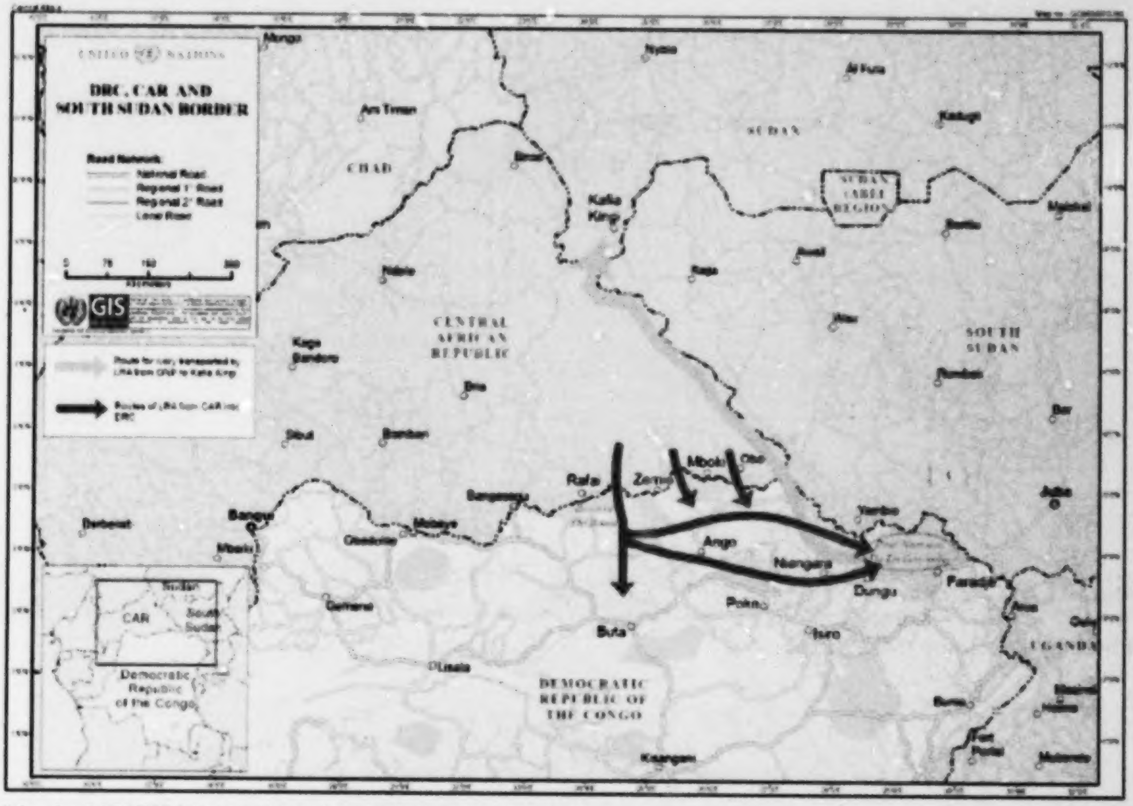

(03) Male adults with BDU hidden in a temporary shelter , (01) AK-47
(02) Male adults with BDU hidden in a temporary shelter

IVO KOKOLA: FOCUS ON SUSPECTED CAMP AND AG
DOI: 18 JAN 16
Source: FHQ G2 ISR Ops

DOI: 18 JAN 16
Description : Focus on AG members in suspected camp
(05) Male adults hidden in a temporary shelter, (01) AK 47 were observed

Photos provided by MONUSCO

Annex 28: LRA areas of operation



Map by MONUSCO / markings by the Group (April 2016)

Annex 29: NDC area of influence

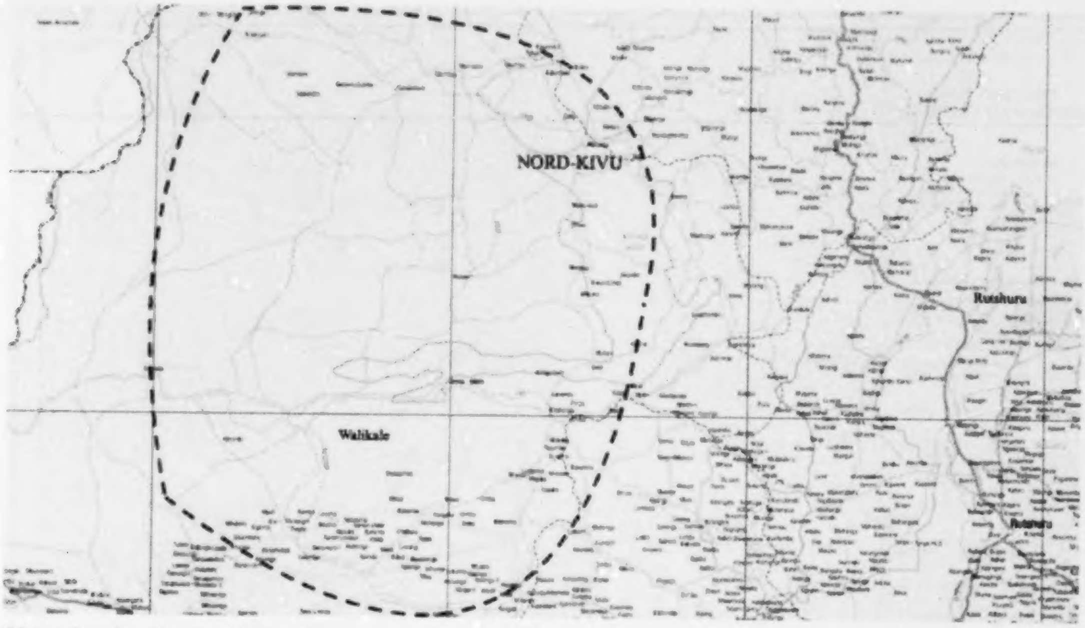


Photo by the Group (May 2016)

Annex 30: The NDC-R split from the NDC

In July 2014, Nduma Defense of Congo (NDC) led by sanctioned individual Sheka Ntabo Ntaberi split in two groups; NDC deputy commander Guidon Shimiray Mwissa left with most of the cadres of the movement, creating NDC-R. Officially, Sheka Ntabo Ntaberi was accused of embezzlement. Most of the NDC and NDC-R ex-combatants interviewed by the Group underlined that financial issues were indeed one of the root causes of the dispute, as well as the possible integration within the FARDC. The following letter announces the break up of the NDC and the creation of NDC-R, describing the main reasons for the split.

[redacted]

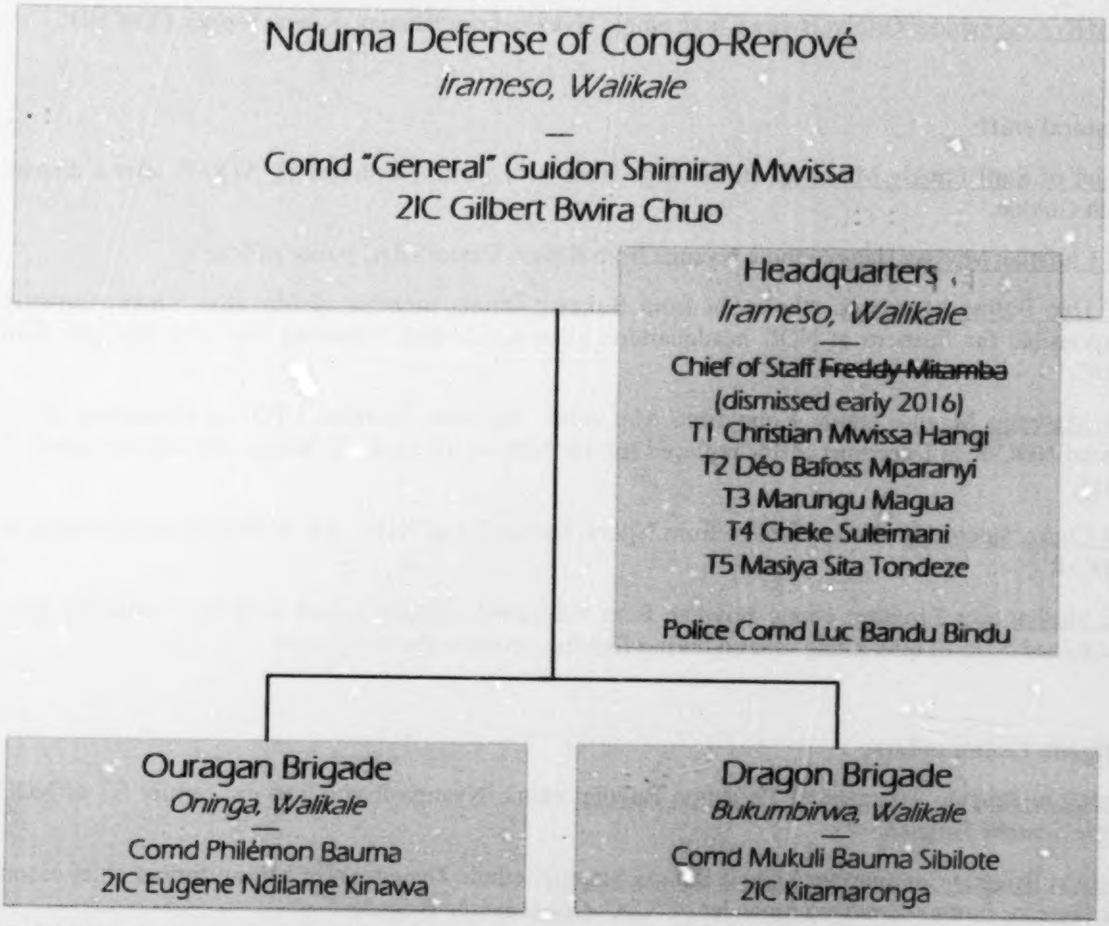
Annex 31: *Cahier des charges* of NDC-R

Published in 2014, the NDC-R *cahier de charges* reiterates the main objectives of the movement: to fight against the FDLR, to receive amnesty for NDC-R members and to eventually integrate within State institutions. It also announces the creation of its political party. As such the document advocates for better representation in the local and national institutions of Walikale Territory, which is presented as the main contributor to North Kivu's wealth.

[redacted]

Annex 32: NDC-R structure and leadership

Many former NDC elements deserted with "General" Guidon Shimiray when he created NDC-R in July 2014. This included the majority of former NDC officers and the entire *Aigle Lemabé* Brigade. The information below is based on interviews conducted with NDC-R ex-combatants, and presents the situation as of early 2016.



Graphic by the Group (April 2016)

NDC-R leaders

Commander Guidon Shimiray Mwissa: ethnic Nyanga; born in 1980 in Kigoma, Walikale; graduated secondary school *humanités sociales* in Mpofi; joined the armed group commanded by She Kasikila at the age of 16; integrated the FARDC with Kasikila, becoming his battalion S3; injured in 2007, thereafter joining Mai Mai Simba under then-commander "Mando;" participated in the creation of the NDC in 2008, becoming the deputy commander in charge of the *Aigle Lemabé* Brigade.

Deputy Commander Gilbert Bwira Chuo: ethnic Nyanga from Ishunga, Kibua; former T2 of NDC.

General staff:

Chief of Staff Freddy Mitamba: ethnic Rega from Itebero; now detained by NDC-R after a dispute with Guidon.

T1 Christian Mwissa Hangi: ethnic Nyanga from Kibati; former NDC police officer.

T2 Déo Bafoss Mparanyi: ethnic Shi from Bukavu; former member of Mai Mai Simba; formerly responsible for finances at NDC headquarters; close to Guidon, following him after his split with NDC.

T3 Marungu Magua: ethnic Kobo from Mesambo, Walikale; founded UPDI in September 2015; joined NDC-R in December 2015; replaced former NDC-R T3 Shebingi Karaï, who left the group in 2015.

T4 Cheke Suleimani: ethnic Nyanga from Ngora; former T4 of NDC; left with Guidon at creation of NDC-R.

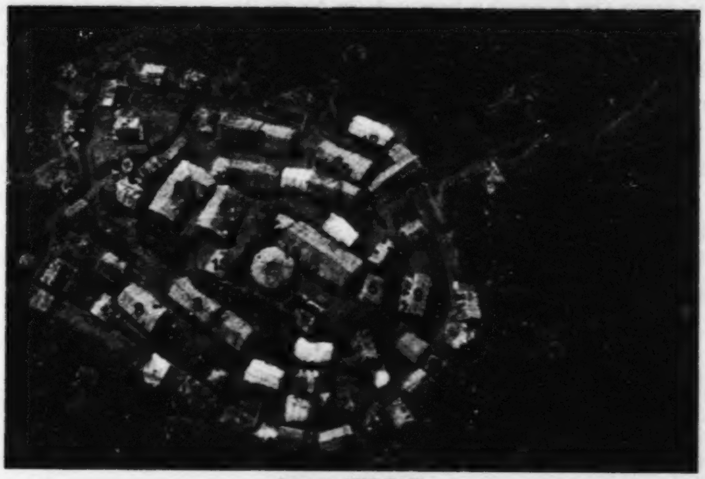
T5 Masiya Sita Tondeze: ethnic Boyome from Kisangani; initially stayed with NDC after the split, but joined NDC-R after being injured during fighting between the two groups.

Brigade Commanders:

Ouragan Brigade Commander Philémon Bauma: ethnic Nyanga from Chabura; former S3 of NDC *Aigle Lemabé* Brigade.

Dragon Brigade Commander Mukuli Bauma Sibolite: ethnic Nyanga from Misau; former chief escort for Guidon; former deputy commander of NDC *Aigle Lemabé* Brigade.

Annex 33: NDC-R headquarters in Irameso, Walikale Territory in North Kivu



Irameso- NDC-R HQ

1- Guidon Shimiray Mwissa (Cdr)
2-House of Shimiray's escorts
3-Gilbert Bwira Chuo (Dty Cdr)
4-Jean Mafuru Butina (Secretary General)
5- Christian Mwissa Hangi (T1)
6- Deo Bafoea Mparanyi (T2)
7- Faustin Chira (T2 -Secretary)
8- Marungo Magua (T3)
9-Masiya Bita Tondeze (T5)
10-Barza
11-Food warehouses
12-Troops dormitories
13-Detention facility

Imagery provided by MONUSCO / data collected by the Group.

Annex 34: MM Charles structure and leadership

Unlike former armed movements in Rutshuru, such as that of Mai Mai Shetani, Mai Mai Charles is not organized with military ranks and structures. This could be due to the fact that the Government of the Democratic Republic of Congo is not currently integrating former armed group members into the FARDC. Having ranks, therefore, is no longer a helpful bargaining chip.

MM Charles was not a unified group; splits formed over leadership issues and the sharing of revenues. As a rising MM leader, Bokande opposed most of those who had been senior MM officers in the area in the past. Prominent leaders of MM Charles, such as Jetaime Masimbi and Chuma Malyene, had their own camp in Kaharavughe and acted in relative autonomy in the period under review. The various groups did come together, however, for attacks on ICCN positions.

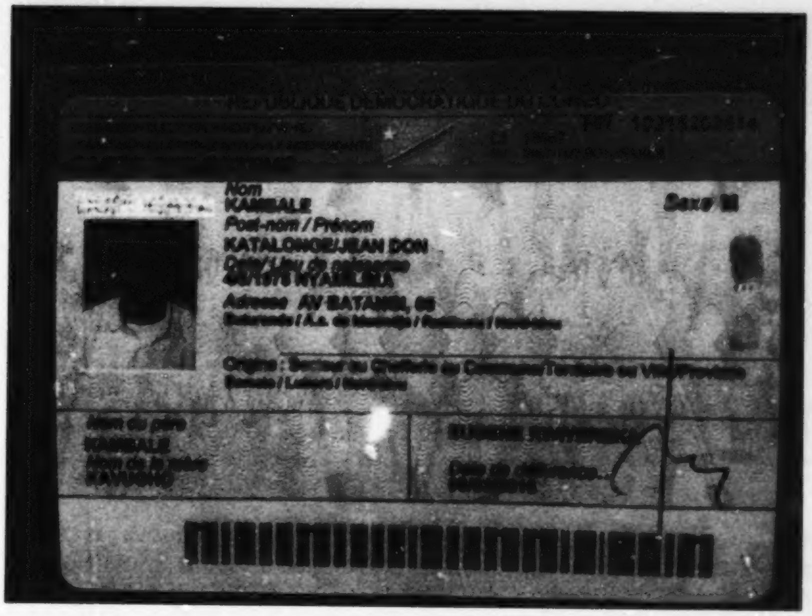
Based on interviews with a dozen MM ex-combattants, the following profiles were created on the MM leaders active in 2015 and early 2016.

Charles Kakule Mwendibwa, aka Bokande:

The nickname Bokande comes from the Senegalese soccer player Jules Bocandé (1958-2012). An ethnic Nande around 30 years old from the Kivisihe borough in Nyamilima, Charles Bokande is a younger brother of MM Shetani officer Janvier Kabandi, killed by the FARDC in 2013. Bokande was an escort of Jadot Katalonge in MM Shetani, but he did not follow Katalonge in the demobilization process. Bokande created his own group in 2014 with his deputy Roger Magumu (ethnic Nande from Nyamilima). Along with Chuma Malyene, his group was responsible for the attacks against ICCN-FARDC joint forces in Chondo, and against the FARDC in Kafunzo in June 2015, as well as similar attacks in February-March 2016. At the end of 2015, Charles dissociated from other leaders (such as Chuma Maliene and Kadima) following a disagreement on sharing revenues and the selling back of the heavy machine gun to the FARDC. In 2016, his group was active in the Chondo area and concentrated on the taxation of illegal fishing activities.

Jean Don (aka Jadot) Katalonge:

Jadot Katalonge was a self-styled Colonel in MM Shetani. After the fall of M23, he surrendered to the FARDC with 98 of his elements. They were later transferred to Kamina. In August 2014, Katalonge escaped from Kamina along with Kadima, and returned to Rutshuru Territory, where he created his own group apart from Charles Bokande's. Although they never fought each other, they didn't join forces either. This was likely due to a financial dispute between the two; Bokande had allegedly kept the money from a dowry recovered on behalf of Katalonge, arguing that Katalonge owed money to the MM movement. This debt was owed to the MM movement, since he surrendered weapons to the FARDC in 2013, which were the property of the movement. This personal rivalry was reinforced by Charles' defiance towards leaders who had surrendered to the FARDC, even momentarily. Jadot Katalonge was eventually arrested in Goma in April 2015 and was still, as of April 2016, detained in Munzenze detention facility. Following his arrest, his main followers, such as Chuma Malyene and Kadima, joined the group led by Charles Bokande.



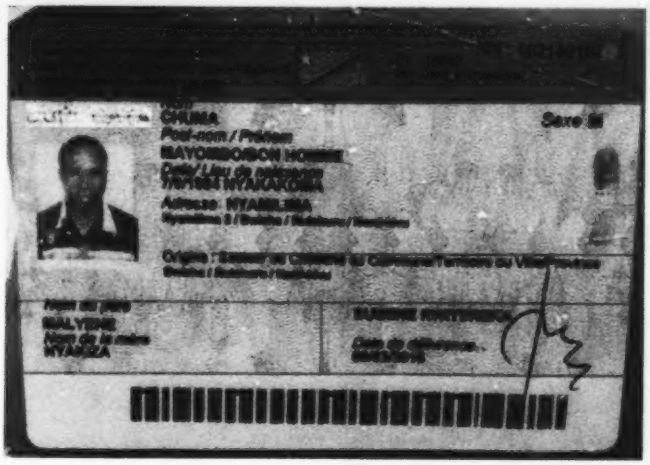
[redacted]

Nom
KAMBALE
Sexe M
Post-nom / Prénom
KATALONGE/JEAN DON
Adresse AV BATANGI, 65
Nom du père
KAMBALE

Chuma Mayombo Bon Homme (aka Chuma Malyene):

Chuma Malyene is an ethnic Hutu (Munyabinza) from Nyamilima. A member of FDLR-Soki, he joined MM Shetani in 2012 after skirmishes between both groups. He remained in MM Shetani without a specific role. In 2013, Chuma Malyene was injured during clashes with the FARDC. Those clashes occurred in a specific context described to the Group by four ex-MM and three ex-Nyatura elements: at the time the 809th regiment led by Colonel Kisembo was supporting both MM and Nyatura groups active along the Nyamilima-Ishasha road. Under the supervision of the 8th Military Region, Lieutenant Colonel Bigayi and Lieutenant Colonel Ndume were providing material and ammunition support to MM Shetani. However, the opposition between MM and Nyatura groups was soon reflected within the regiment itself, as FARDC officers sided with the groups they were supporting. Colonel Kisembo, who was supporting the Nyatura groups, fought MM elements on several occasions. Chuma Malyene was injured during one of these clashes for control of a roadblock on the Ishasha-Nyakakoma road.

Since he was transferred to a hospital in Goma, Chuma Malyene didn't join Jadot Katalonge in Kamina and remained in North Kivu in late 2013 and 2014. When Katalonge escaped from Kamina and returned to Rutshuru in mid-2014, Chuma Malyene joined his new group. He was injured again by the FARDC in Nyamilima in 2015, but managed to escape from the Nyamilima hospital where he was treated. After Katalonge's arrest in Goma in April 2015, Malyene sided with Charles Bokande. However due to a financial dispute, he left Bokande's group with other MM leaders and settled in Kamuhororo area, where he remained active up to March 2016, focusing on kidnapping for ransom and illegal tax collection from fishermen. He occasionally joined the group led by Charles Bokande for joint operations. His family lives in Nyakakoma.



CHUMA

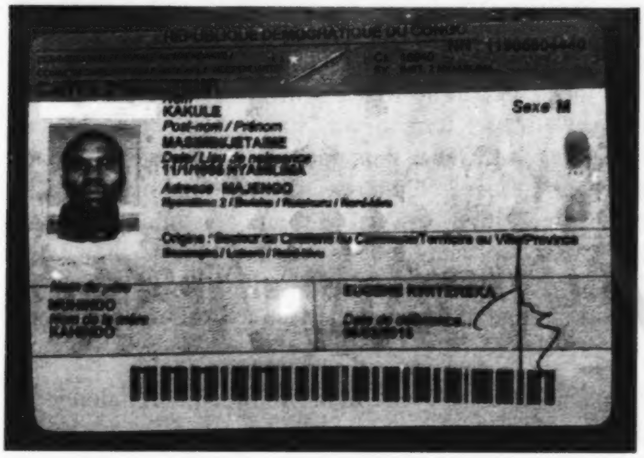
Sexe M

Post-nom / Prénom

Adresse: NYAMILIMA

Jetaime Kakule Masimbi:

Jetaime Kakule Marimba is an ethnic Nande from Nyamilima in his early thirties, who was recruited for MM Shetani through his church choir. A self-styled Colonel in MM Shetani, Jetaime was based in Kisharo in 2012. In 2013, he followed Jadot Katalonge to Bweremana and Kamina. Back in Rutshuru in 2014, he joined MM Charles, but eventually followed Chuma Maliene when he separated from Charles Bokande. His family lives in Buramba.



REPUBLIQUE DEMOCRATIQUE DU CONGO

KAKULE

Sexe M

Post-nom / Prénom

MASIMBIJETAIME

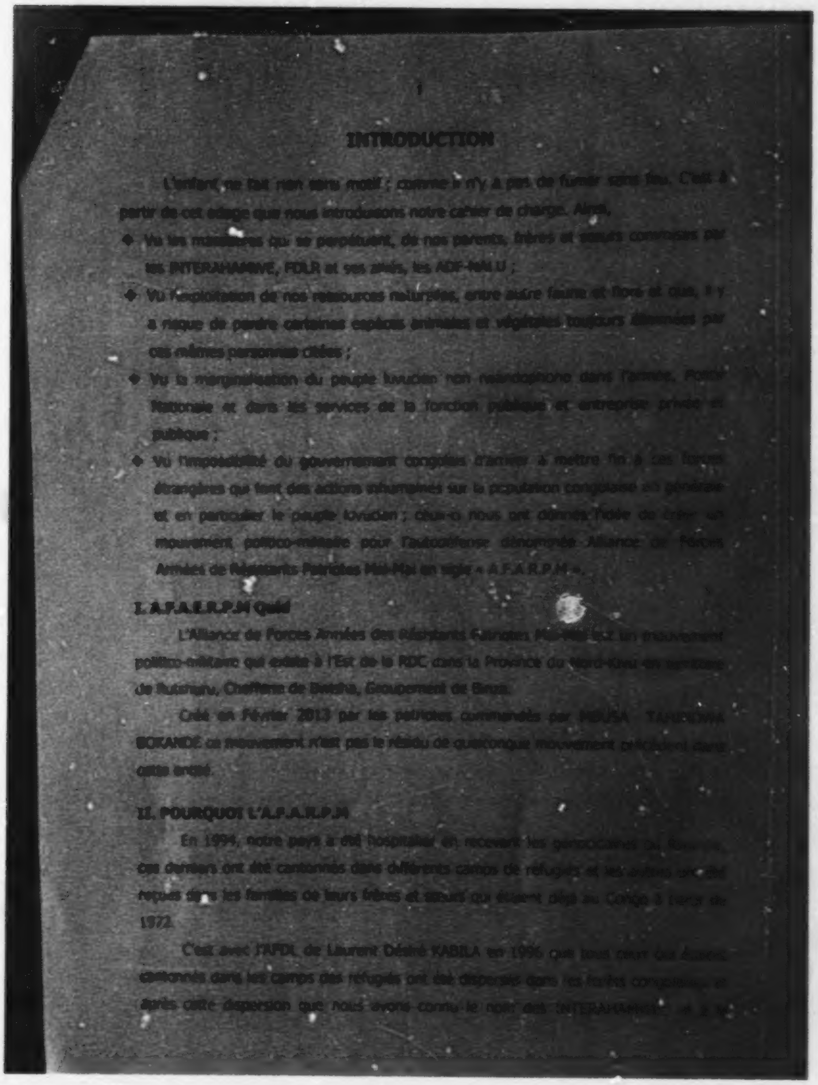
Adresse MAJENGO

Kadima Kayenga:

Kadima (from Kadimanche, “Born on a Sunday”), is a carpenter from Buramba, an ethnic Nande, and in his late thirties. An ex-MM Jackson element who later integrated the FARDC, Kadima deserted the national army six months prior to the emergence of M23 and joined MM Shetani. He surrendered to the FARDC in Bweremana in late 2013 and was transferred to Kamina. He left Kamina and joined Charles in 2014.

Annex 35: *Cahier des charges* of Mai Mai Charles

The *cahier des charges* of Mai Mai Charles underlines the group's intention to fight foreign armed groups, such as the FDLR. It also denounces the fact that members of the former CNDP rebellion were later integrated into the FARDC with such high ranks. One of their named strategies is to collaborate with the government, so they can be supplied with weapons and ammunition and eventually integrate the FARDC.



1

INTRODUCTION

L'enfant ne fait rien sans motif ; comme il n'y a pas de fumée sans feu. C'est à partir de cet adage que nous introduisons notre cahier de charge. Ainsi,

- Vu les massacres qui se perpétuent, de nos parents, frères et sœurs commises par les INTERAHAMWE, FDLR et ses alliés, les ADF-NALU ;
- Vu l'exploitation de nos ressources naturelles, entre autre faune et flore et que, il y a risque de perdre certaines espèces animales et végétales toujours éliminées par ces mêmes personnes citées ;
- Vu la marginalisation du peuple luvucien non rwandophone dans l'armée, Police Nationale et dans les services de la fonction publique et entreprise privée et publique ;
- Vu l'impossibilité du gouvernement congolais d'arriver à mettre fin à ces forces étrangères qui font des actions inhumaines sur la population congolaise en générale et en particulier le peuple luvucien ; ceux-ci nous ont donnés l'idée de créer un mouvement politico-militaire pour l'autodéfense dénommée Alliance de Forces Armées de Résistants Patriotes Mai-Mai en sigle « A.F.A.R.P.M ».

I. A.F.A.L.R.P.M Quid

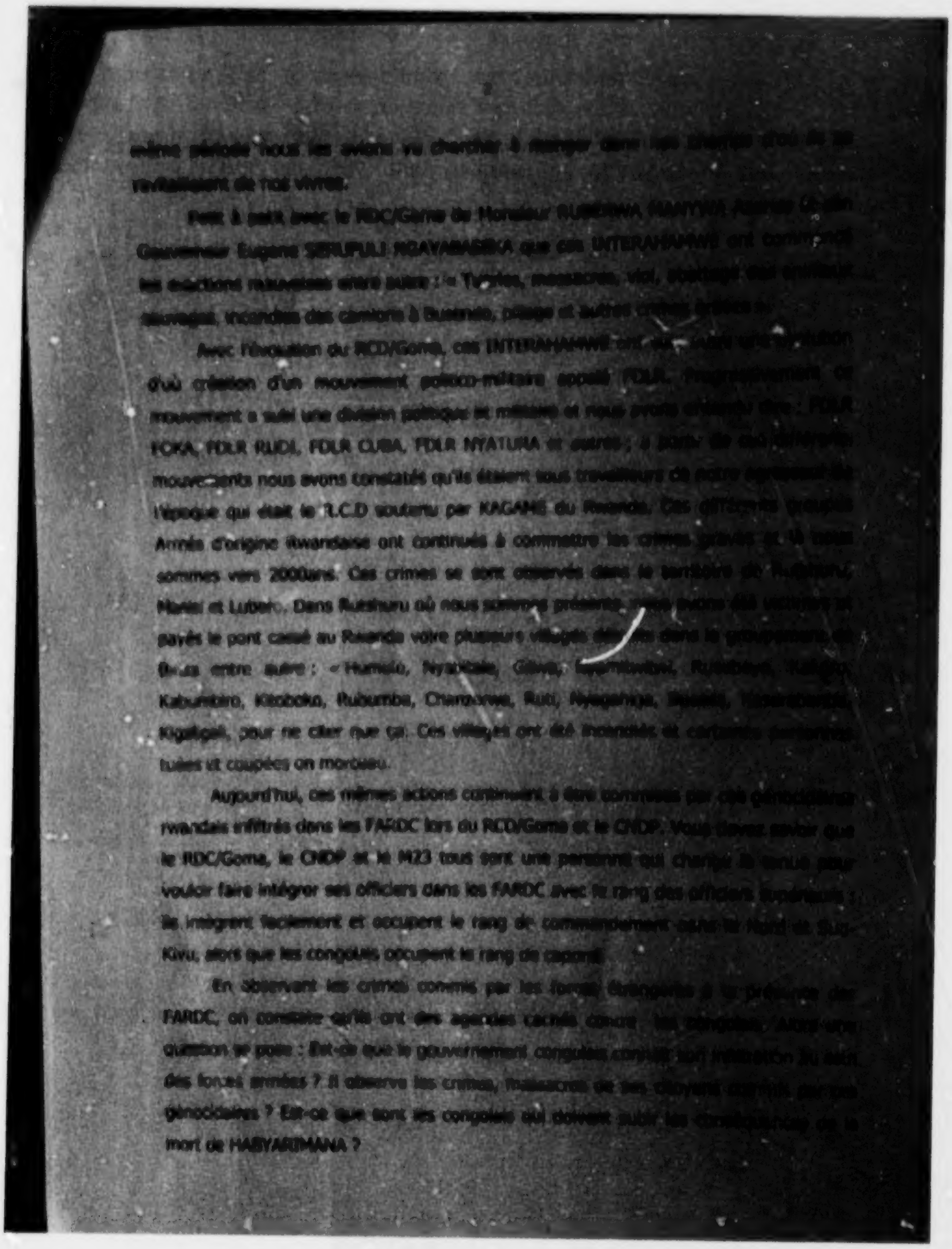
L'Alliance de Forces Armées des Résistants Patriotes Mai-Mai est un mouvement politico-militaire qui existe à l'Est de la RDC dans la Province du Nord-Kivu en territoire de Rutshuru, Chefferie de Bwisha, Groupement de Binza.

Créé en Février 2013 par les patriotes commandés par MBUSA TAHUNDWA BOKANDE ce mouvement n'est pas le résidu de quelconque mouvement précédent dans cette entité.

II. POURQUOI L'A.F.A.R.P.M

En 1994, notre pays a été hospitalier en recevant les génocidaires du Rwanda, ces derniers ont été cantonnés dans différents camps de réfugiés et les autres ont été reçues dans les familles de leurs frères et sœurs qui étaient déjà au Congo à partir de 1972.

C'est avec l'AFDL de Laurent Désiré KABILA en 1996 que tous ceux qui étaient cantonnés dans les camps des réfugiés ont été dispersés dans les forêts congolaises et après cette dispersion que nous avons connu le nom des INTERAHAMWE, et à la [illegible]



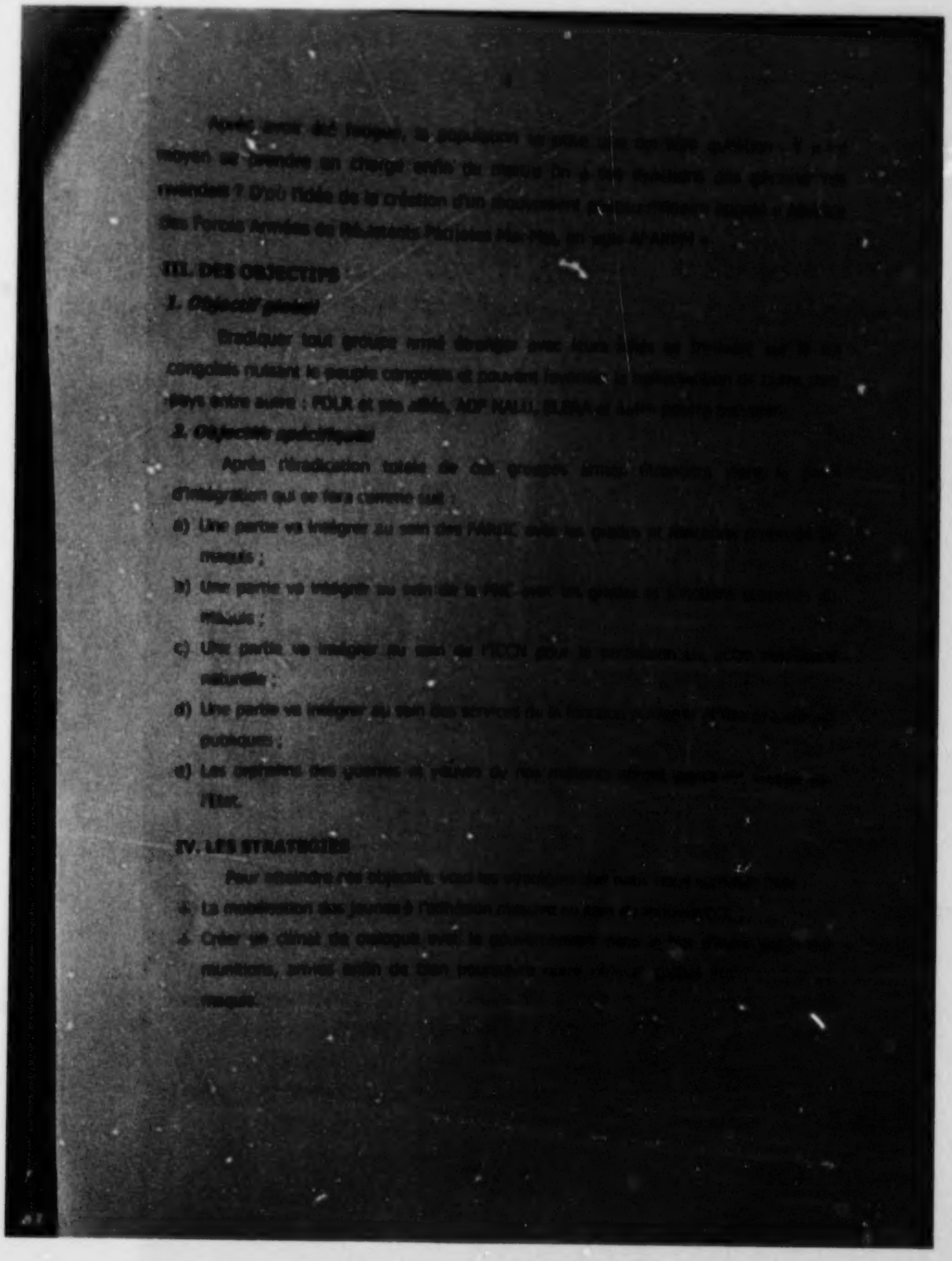
même période nous les avions vu chercher à manger dans nos champs sous le [illegible] ravitaillement de nos vivres.

Petit à petit avec le RDC/Goma de Monsieur RUBERWA MANYWA Azarias et du Gouverneur Eugène SERUFULI NGAYABASEKA que ces INTERAHAMWE ont commencé les exactions nouvelles entre autre : « Tueries, massacres, viol, [illegible] [illegible] sauvages, incendies des camions à Busanza, pillage et autres crimes graves ».

Avec l'évolution du RCD/Goma, ces INTERAHAMWE ont [illegible] une évolution d'où création d'un mouvement politico-militaire appelé FDLR. Progressivement ce mouvement a subi une division politique et militaire et nous avons entendu dire : FDLR FOKA, FDLR RUDI, FDLR CUBA, FDLR NYATURA et autres ; à partir de ces différents mouvements nous avons constatés qu'ils étaient tous travailleurs de notre gouvernement de l'époque qui était le R.C.D soutenu par KAGAME du Rwanda. Ces différents groupes Armés d'origine Rwandaise ont continués à commettre les crimes graves et là nous sommes vers 2000ans. Ces crimes se sont observés dans le territoire de Rutshuru, Masisi et Lubero. Dans Rutshuru où nous sommes présents, nous avons été victimes et payés le pont cassé au Rwanda voire plusieurs villages détruits dans le groupement de Bwito entre autre : « Humulo, Nyabitale, Gitwa, [illegible], Rusiibaye, [illegible], Kabumbiro, Kitoboko, Rubumba, Chanzerwa, Ruti, Nyagahinga, [illegible], [illegible], Kigaligali, pour ne citer que ça. Ces villages ont été incendiés et certaines personnes tuées et coupées en morceau.

Aujourd'hui, ces mêmes actions continuent à être commises par ces génocidaires rwandais infiltrés dans les FARDC lors du RCD/Goma et le CNDP. Vous devez savoir que le RDC/Goma, le CNDP et le M23 tous sont une personne qui change la tenue pour vouloir faire intégrer ses officiers dans les FARDC avec le rang des officiers supérieurs ; ils intègrent facilement et occupent le rang de commandement dans le Nord et Sud-Kivu, alors que les congolais occupent le rang de caporal.

En observant les crimes commis par les forces étrangères à la présence des FARDC, on constate qu'ils ont des agendas cachés contre les congolais. Alors une question se pose : Est-ce que le gouvernement congolais connaît son infiltration au sein des forces armées ? Il observe les crimes, massacres de ses citoyens commis par ces génocidaires ? Est-ce que sont les congolais qui doivent subir les conséquences de la mort de HABYARIMANA ?



Après avoir été [illegible], la population se pose une dernière question : Y a-t-il moyen de prendre en charge enfin de mettre fin à ces tueries des génocidaires rwandais ? D'où l'idée de la création d'un mouvement politico-militaire appelé « Alliance des Forces Armées de Résistants Patriotes Mai-Mai, en sigle AFARPM ».

III. DES OBJECTIFS

1. Objectif global

Eradiquer tout groupe armé étranger avec leurs alliés se trouvant sur le sol congolais nuisant le peuple congolais et pouvant favoriser la balkanisation de notre pays entre autre : FDLR et ses alliés, ADF NALU, [illegible] et autres groupes étrangers.

2. Objectifs spécifiques

Après l'éradication totale de ces groupes armés étrangers, place à la phase d'intégration qui se fera comme suit :

a) Une partie va intégrer au sein des FARDC avec les grades et fonctions acquis au maquis ;

b) Une partie va intégrer au sein de la PNC avec les grades et fonctions acquis au maquis ;

c) Une partie va intégrer au sein de l'ICCN pour la protection de notre réserve naturelle ;

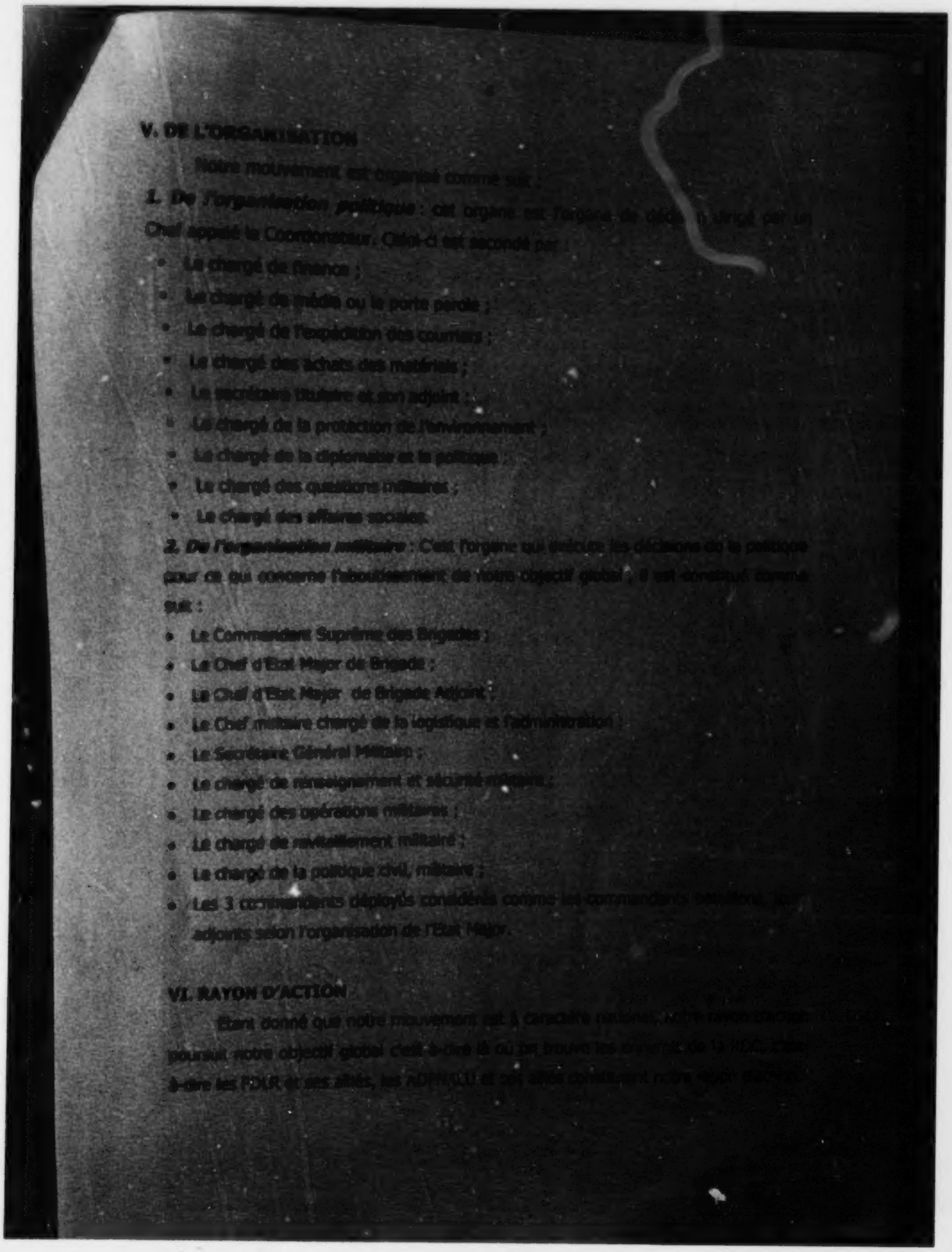
d) Une partie va intégrer au sein des services de la fonction publique et des entreprises publiques ;

e) Les orphelins des guerres et veuves de nos militaires seront pris en charge par l'Etat.

IV. LES STRATEGIES

Pour atteindre nos objectifs, voici les stratégies que nous nous sommes fixées :

- La mobilisation des jeunes à l'adhésion massive au sein du mouvement ;
- Créer un climat de dialogue avec le gouvernement dans le but d'avoir [illegible] munitions, armes enfin de bien poursuivre notre [illegible] maquis.



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V. DE L'ORGANISATION

Notre mouvement est organisé comme suit :

1. De l'organisation politique : cet organe est l'organe de décision dirigé par un Chef appelé le Coordonnateur. Celui-ci est secondé par :

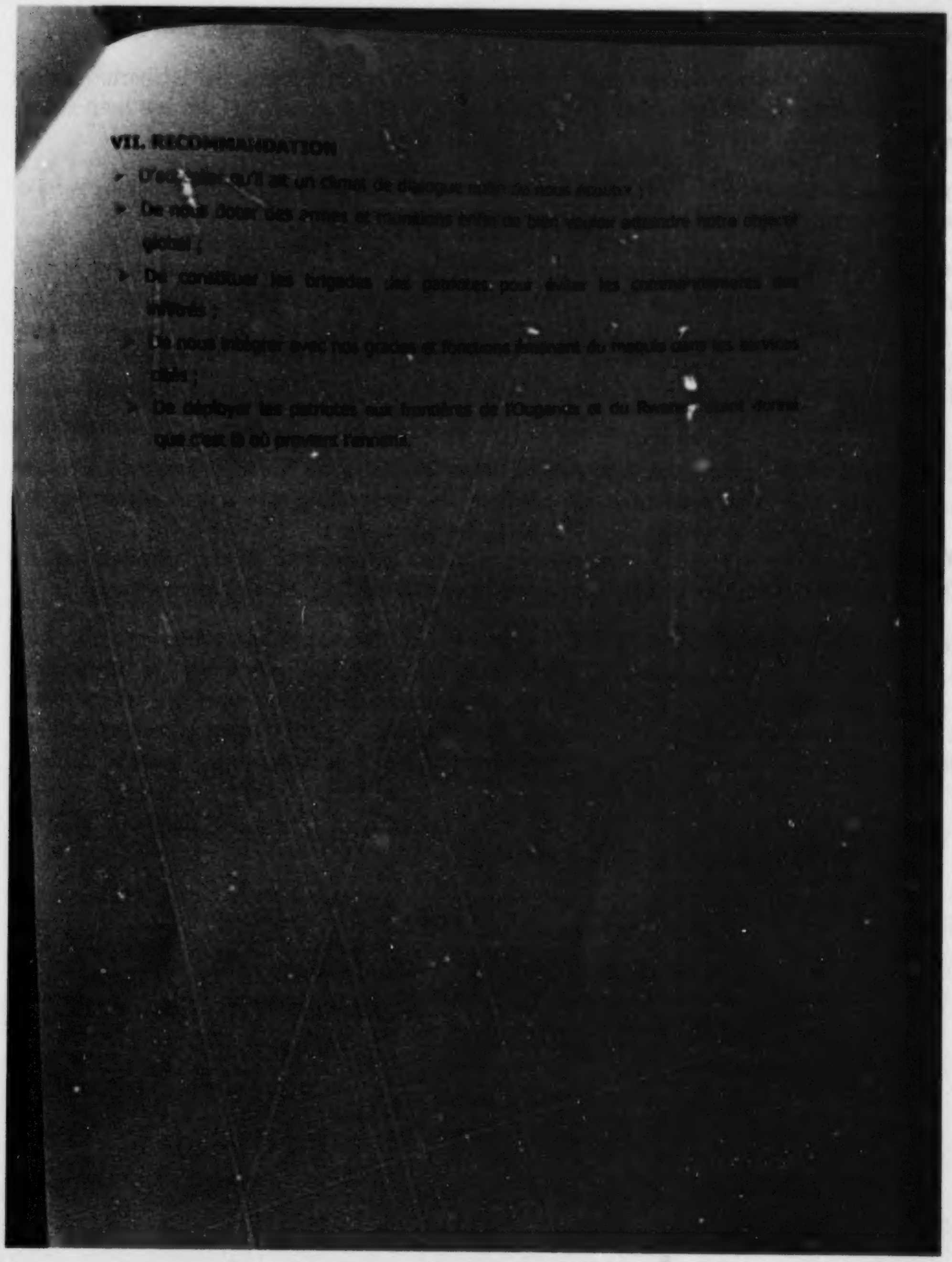
- Le chargé de finance ;
- Le chargé de média ou le porte parole ;
- Le chargé de l'expédition des courriers ;
- Le chargé des achats des matériels ;
- Le secrétaire titulaire et son adjoint ;
- Le chargé de la protection de l'environnement ;
- Le chargé de la diplomatie et la politique ;
- Le chargé des questions militaires ;
- Le chargé des affaires sociales.

2. De l'organisation militaire : C'est l'organe qui exécute les décisions de la politique pour ce qui concerne l'aboutissement de notre objectif global ; il est constitué comme suit :

- Le Commandant Suprême des Brigades ;
- Le Chef d'Etat Major de Brigade ;
- Le Chef d'Etat Major de Brigade Adjoint ;
- Le Chef militaire chargé de la logistique et l'administration ;
- Le Secrétaire Général Militaire ;
- Le chargé de renseignement et sécurité militaire ;
- Le chargé des opérations militaires ;
- Le chargé de ravitaillement militaire ;
- Le chargé de la politique civil, militaire ;
- Les 3 commandants déployés considérés comme les commandants bataillons, leurs adjoints selon l'organisation de l'Etat Major.

VI. RAYON D'ACTION

Etant donné que notre mouvement est à caractère national, notre rayon d'action [illegible] poursuit notre objectif global c'est-à-dire là où on trouve les ennemis de la RDC, c'est-à-dire les FDLR et ses alliés, les ADF/NALU et ses alliés constituent notre rayon d'action.



VII. RECOMMANDATION

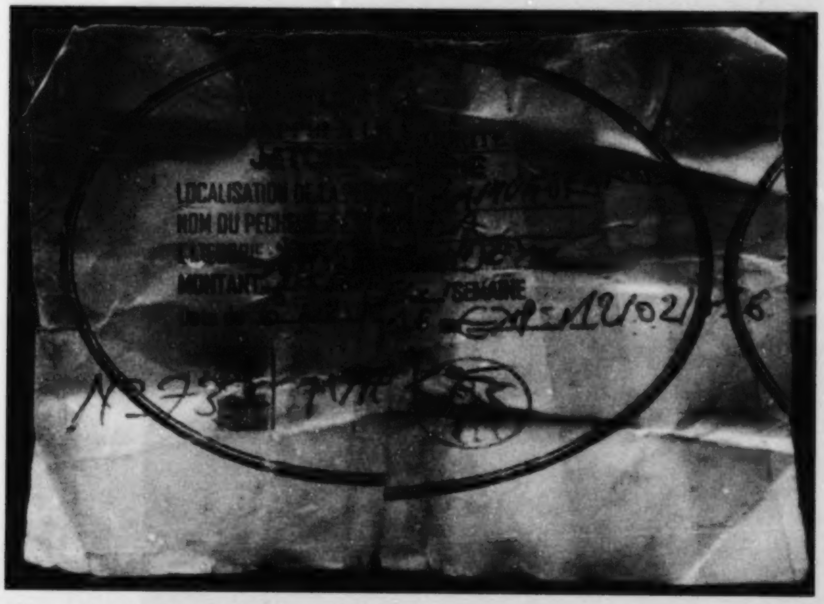
- D'exiger qu'il ait un climat de dialogue enfin de nous écouter ;
- De nous doter des armes et munitions enfin de bien vouloir atteindre notre objectif global ;
- De constituer les brigades des patriotes pour éviter les commandements des infiltrés ;
- De nous intégrer avec nos grades et fonctions émanant du maquis dans les services clés ;
- De déployer les patriotes aux frontières de l'Ouganda et du Rwanda étant donné que c'est là où provient l'ennemi.

Annex 36: Engagements between MM Charles and the FARDC / ICCN in 2015 and 2016

Although their *Cahier des Charges* states that the FDLR is its main enemy, MM Charles fought against the FARDC and the ICCN throughout 2015 and early 2016 for control of the southern shores of Lake Edward.

- Mid-February / early March 2015: MM Charles attacked the FARDC on several occasions west of Nyamilima, killing a total of 12 FARDC elements, including a Major.
- 18 June 2015: 80-100 MM Charles elements attacked the joint FARDC-ICCN position in Chondo, killing nine FARDC soldiers and one ICCN ranger. The MM recovered four light machine guns (7.62x54 mm), seven RPG-7, one heavy machine gun (12.7x108 mm), two 60 mm mortars and six Kalashnikov-variant rifles, as well as mortar and machine gun ammunition. This successful attack gave MM Charles access to the shores of Lake Edward and control of taxation on fishermen in the area.
- 30 June 2015: the FARDC attempted to attack Kafunzo in retaliation for their losses at Chondo. The MM, however, had been warned in advance of the impending attack and ambushed the FARDC, killing 18 soldiers and injuring 14 others, including the 3411th Regiment Commander Colonel John Bahati. The MM recovered another heavy machine gun, 21 Kalashnikov-pattern rifles, 810 rounds of 7.62x39 mm ammunition and 440 rounds of 7.62x54 mm ammunition.
- 12 March 2016: MM Charles attacked ICCN positions in Chondo, Charuganda and the joint ICCN-FARDC position in Kahu. Four ICCN rangers and two FARDC soldiers were captured by the MM. In Chondo, the attack took place during a personnel shift, when only six rangers were left in the position normally occupied by 35 effectives. Two ICCN park rangers were tortured and killed. The MM recovered one RPG, one light machine gun and four Kalashnikov-pattern rifles.

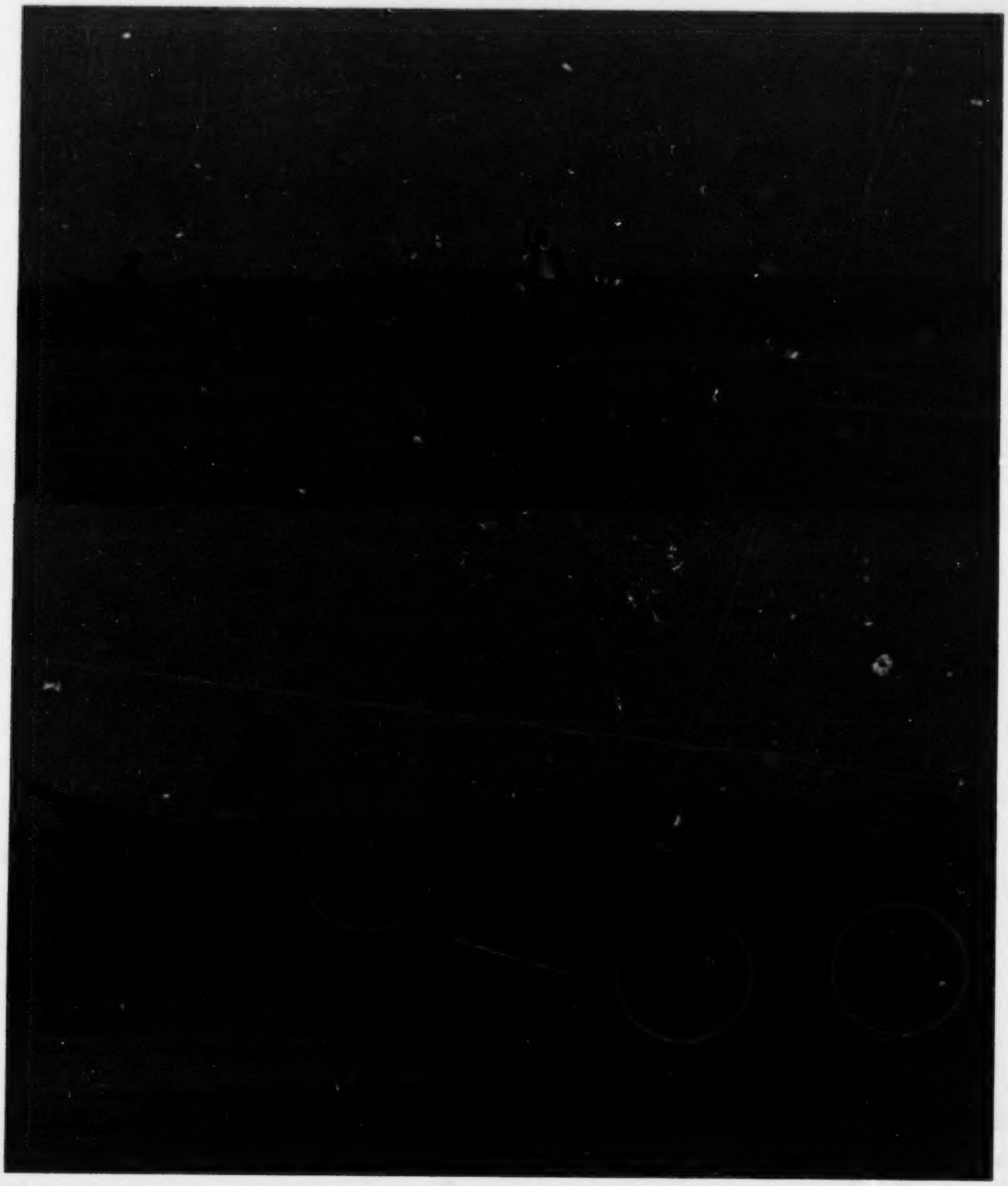
Annex 37: MM Charles taxation receipts for fishermen in Vitshumbi and Nyakakoma



Photos by the Group (December 2015)

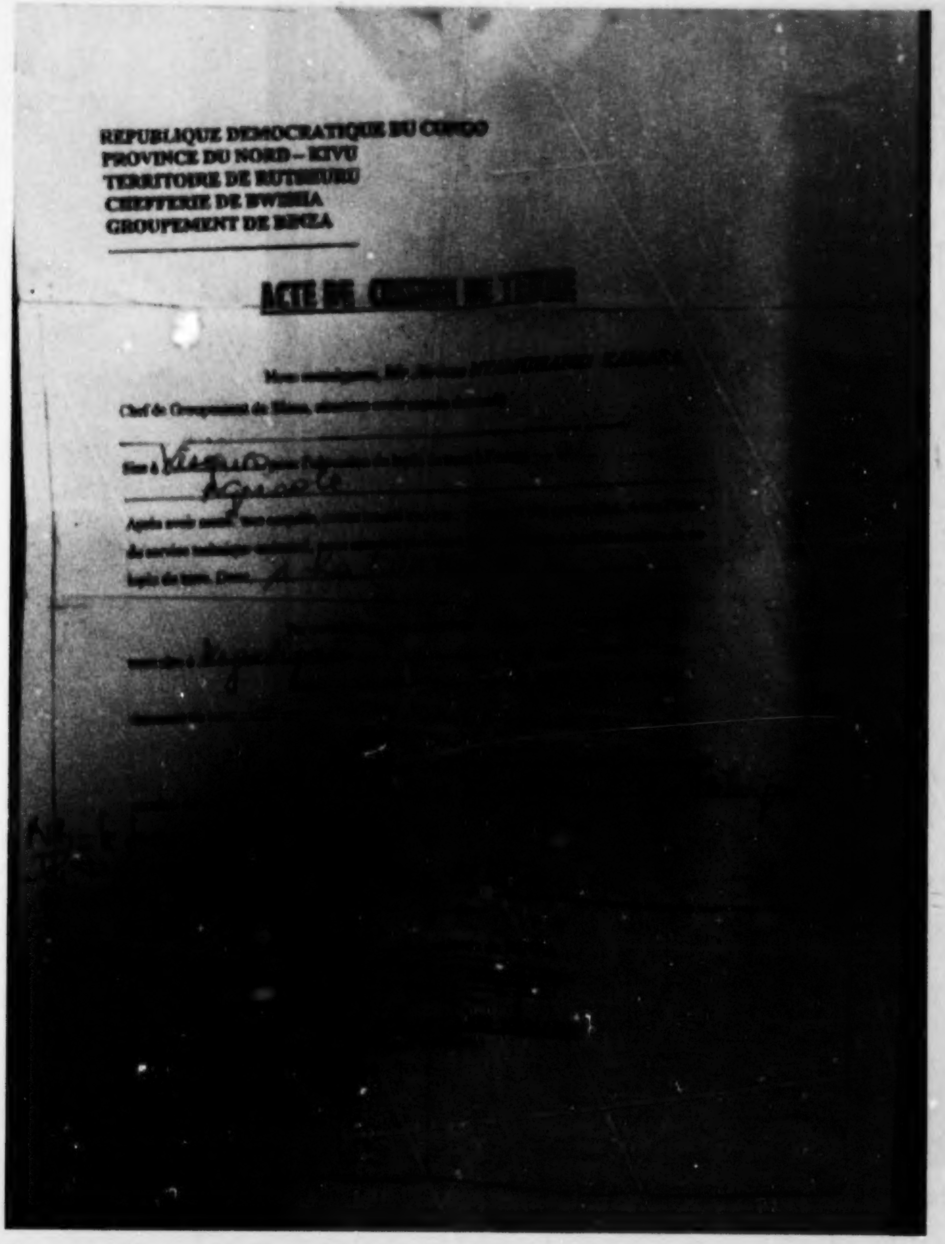
Annex 38: MM Charles on Lake Edward

MM Charles combatants deployed on Lake Edward to collect taxes and escort fishermen practicing illegal fishing techniques.



Photos by the Group (January 2016)

Annex 39: Land title for Kigaligali II distributed by the chief of Binza in 2015



REPUBLIQUE DEMOCRATIQUE DU CONGO
PROVINCE DU NORD – KIVU
TERRITOIRE DE RUTSHURU
CHEFFERIE DE BWISHA
GROUPEMENT DE BINZA

ACTE DE [illegible]

Photo provided to the Group by confidential sources (2016)

Annex 40: FESN identification of returnees requesting land in Kigaligali

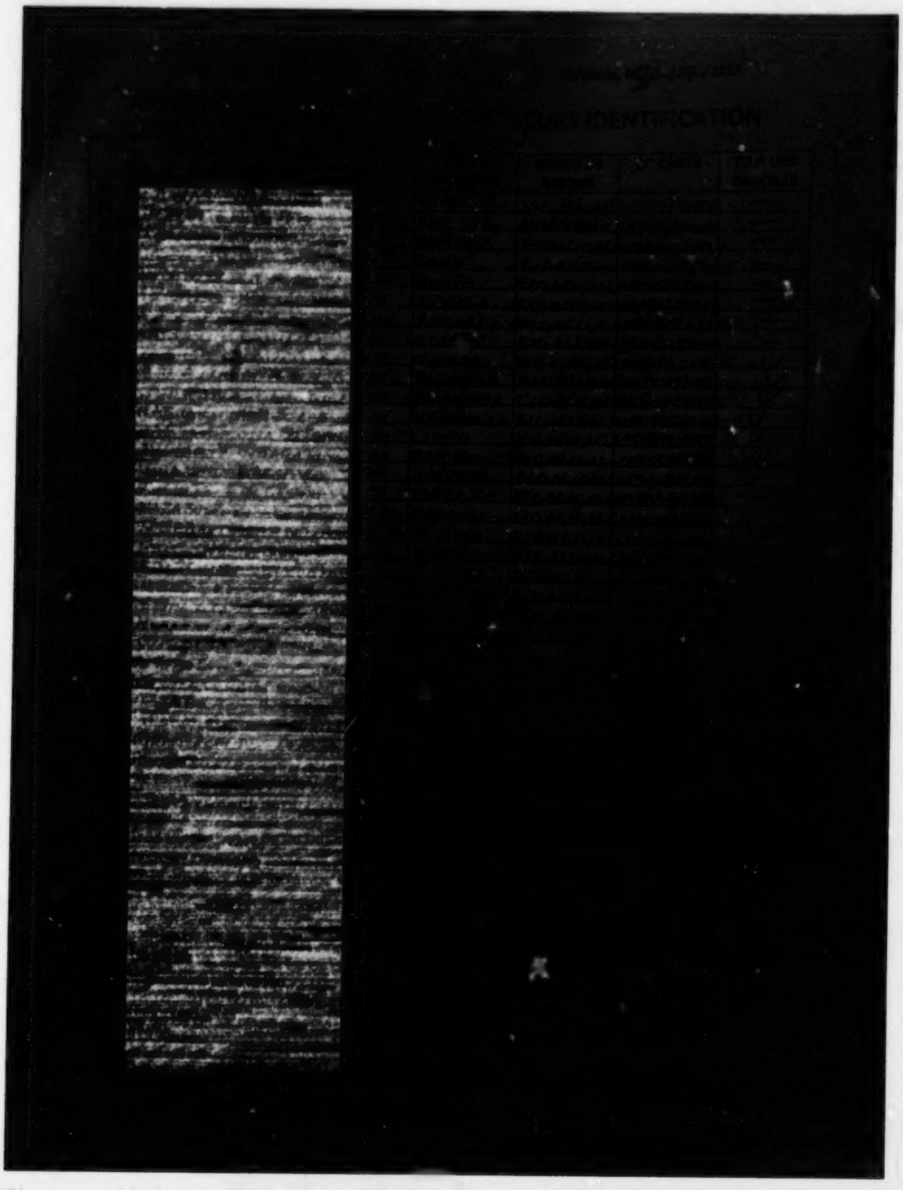
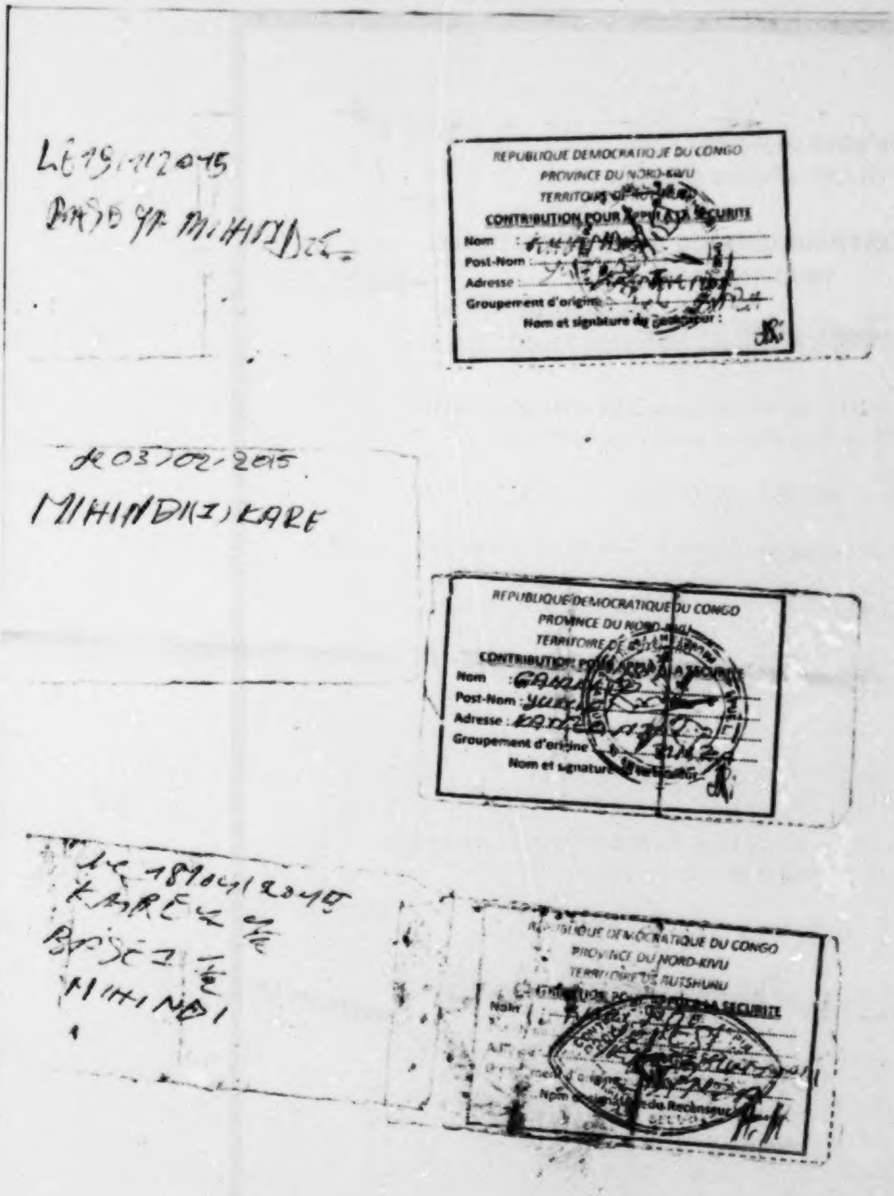


Photo provided to the Group by confidential source (2016)

Annex 41: FPP receipts for taxation in Kigaligali



Le 19/11/2015
[illegible] MIHINDI [illegible]

REPUBLIQUE DEMOCRATIQUE DU CONGO
PROVINCE DU NORD-KIVU
TERRITOIRE DE [illegible]
CONTRIBUTION POUR APPUI A LA SECURITE
Nom : [illegible]
Post-Nom : [illegible]
Adresse : [illegible]
Groupement d'origine : [illegible]
Nom et signature du percepteur :

Le 03/02/2015
MIHINDI(I) KARE

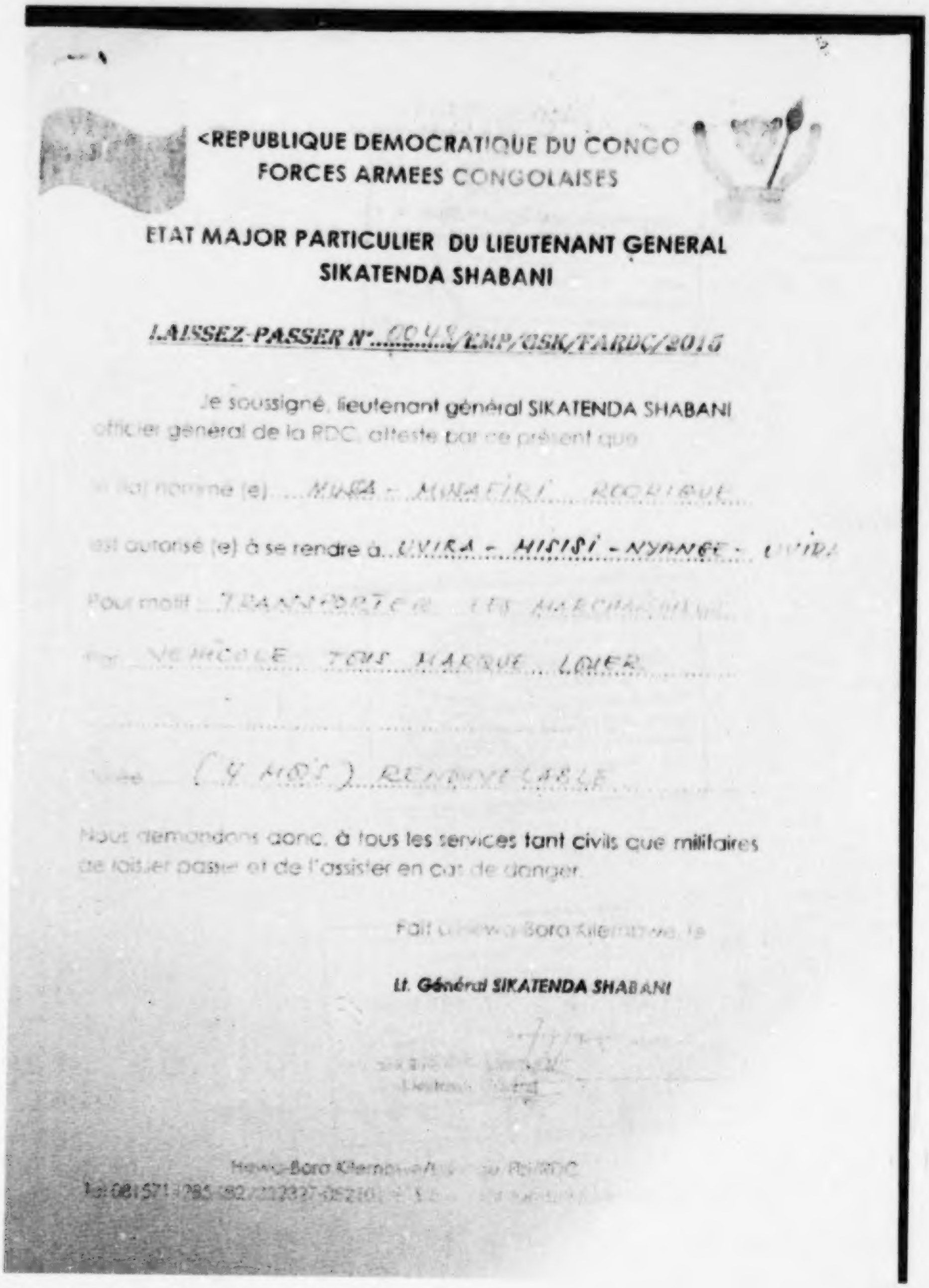
REPUBLIQUE DEMOCRATIQUE DU CONGO
PROVINCE DU NORD-KIVU
TERRITOIRE DE [illegible]
CONTRIBUTION POUR APPUI A LA SECURITE
Nom : [illegible]
Post-Nom : [illegible]
Adresse : [illegible]
Groupement d'origine : [illegible]
Nom et signature du percepteur :

Le 18/04/2015
KARE 2e
BASE 1e
MIHINDI

REPUBLIQUE DEMOCRATIQUE DU CONGO
PROVINCE DU NORD-KIVU
TERRITOIRE DE RUTSHURU
CONTRIBUTION POUR APPUI A LA SECURITE
Nom : [illegible]
Post-Nom : [illegible]
Adresse : [illegible]
Groupement d'origine : [illegible]
Nom et signature du Recenseur :

Photo by the Group (2016)

Annex 42: *Laissez-passer* issued by Retired General Sikatenda



<REPUBLIQUE DEMOCRATIQUE DU CONGO
FORCES ARMEES CONGOLAISES

ETAT MAJOR PARTICULIER DU LIEUTENANT GENERAL
SIKATENDA SHABANI

***LAISSEZ-PASSER N°**..00[illegible]../EMP/GSK/FARDC/2015*

Je soussigné, lieutenant général SIKATENDA SHABANI officier général de la RDC, atteste par ce présent que

le (la) nommé (e)....M[illegible]A – MINAFIRI RO[illegible]........

est autorisé (e) à se rendre à..UVIRA – MISISI – NYANGE – UVIR

Pour motif ...TRANSPORTER LES MARCHANDISES

Par ...VEHICULE TOUS MARQUE LOUER........

....

Durée ...(4 MOIS) RENOUVELABLE........

Nous demandons donc, à tous les services tant civils que militaires de laisser passer et de l'assister en cas de danger.

Fait à Hewa-Bora Kilembwe, le

Lt. Général SIKATENDA SHABANI

SIKATENDA SHABANI
Lieutenant Général

Hewa-Bora Kilembwe/[illegible] RDC
Tel 081571 [illegible]

Photo by the Group (February 2016)

Annex 43: Ex-Nyatura leaders involved in kidnapping in Rutshuru Territory

While the mobilization of the ethnic Hutu community in Rutshuru Territory through Nyatura groups was instrumental for the FARDC in its operations against M23, the demobilization and reintegration of former combatants from these groups was largely a failure. Nyatura groups – including the *Movement pour l'Autonomie* (MPA) and the *Force de Defense des Intérêts du People Congolais* (FDIPC) – surrendered in mass after the defeat of M23 in late 2013, including 120 MPA elements and 95 FDIPC elements.

In 2014, ex-Nyatura elements grew bitter over their situation. The remnants of the groups left in Rutshuru didn't succeed in launching their own political party, and in the demobilization camps, the long awaited integration didn't happen, which led to several riots. Many ex-Nyatura elements were disillusion by the Government of the DRC and the lack of recognition for their involvement in the partisan and patriotic war against M23. Three ex-Nyatura leaders told the Group that for this reason, they refused to be used as pathfinders by the FARDC in the framework of Sukola II operations in 2015. Some ex-Nyatura elements from both the FDIPC and MPA started kidnapping civilians for ransom on the Goma-Rutshuru road. Their groups were rarely stronger than a dozen elements and proved to be very dynamic. The three local leaders detailed below all developed kidnapping and criminal activities during the M23 crisis, and maintained them in its aftermath. They were arrested, killed or fled to Uganda in 2015-2016.

- Emmanuel "Jean" Biriko (aka Manoti): An ethnic Hutu born in 1986 and a founding member of the FDIPC in 2012, Biriko left the FDIPC soon after and focused on charcoal production and kidnapping activities in the VNP. Arrested on 14 April 2015, he was sentenced to death, which was confirmed on appeal. Several members of his group, such as Prince Bwichira (killed in March 2016) and Gahutu, launched their own group after his arrest.

- Kamodoka Rucoca: An ethnic Hutu from Buramba and a former MPA element, Kamudoka created a community self-defense group upon the return of MM leader Jadot Katalonge in the Binza *groupement*. His group, made up of no more than 10 elements, was responsible for the beheading of five ethnic Nande farmers in the Nyamilima area on 29 April 2015. Kamodoka was eventually killed in November 2015 after internal skirmishes.

- Godefroid Nizeyimana (aka Nize): An ethnic Hutu from Nyabanira and a former MPA element, Godefroid Nizeyimana was a former teacher, who participated in the creation of the MPA in 2012. After surrendering to MONUSCO in August 2013, Nize returned to the bush and recreated a group of approximately 12 elements in 2015, which committed several kidnappings in 2015. Members of the Hutu community told the Group that he hoped to be used as a pathfinder for FARDC operations against the FDLR, but eventually fled to Uganda.

Annex 44: Member States' replies to the Group's mid-term report

After its mid-term report (S/2015/797), the Group received various responses to its findings and recommendations.

1. Rwanda

The Group documented the ongoing sale of tags on the black market in Rwanda (see S/2015/797, paras 59-7), as well as the measures taken by the Government of Rwanda regarding the company Kamico mentioned in a previous Group's report for its involvement in the sale of tags (see S/2015/19, paras. 173-179). During an official visit on 28 January 2016, the Group was informed by the Government of Rwanda that "following 30 days suspension, KAMICO mining license was cancelled by the Ministry of Natural Resources through letter number 2149/16.02 dated 13 November 2015 after the Company had failed to show transactional supporting documents."

Concerning the Group's recommendation to investigate and prosecute, as necessary, the companies RF and GM, Africa Multibusiness Line and Société minière du Kanama (SOMIKA) involved in the illegal sale of tags and paperwork for tin, tantalum and tungsten in Rwanda (see S/2015/19, para 112), the Government of Rwanda told the Group that actions were ongoing. Prior to its final report, the Group requested in an April 2016 letter an update on the actions taken towards the companies but had not yet received a response.

2. DRC

The Group is aware that a senior official of the DRC made detailed comments on the Group's mid-term report.

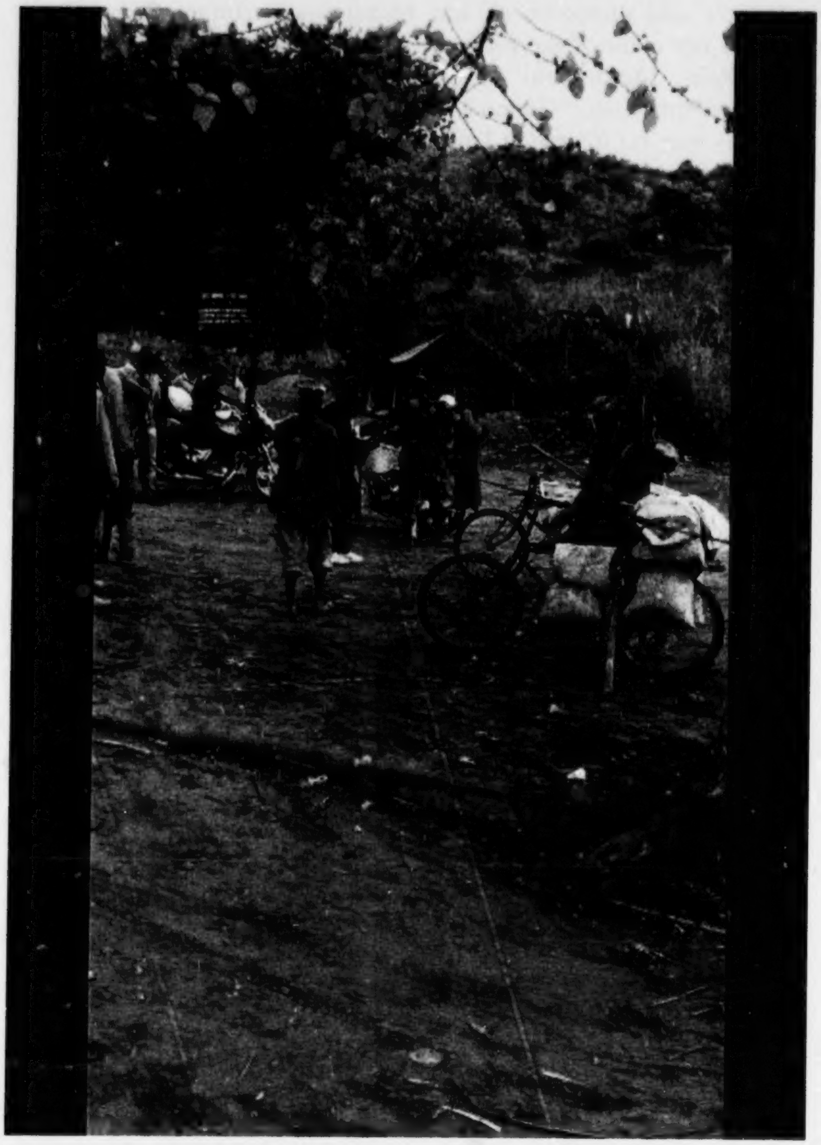
Regarding the Group's recommendation to investigate and prosecute the FARDC officers who extort gold in Misisi in Fizi territory, and who engaged in the illegal production and trade of timber in Beni territory (see S/2015/19, para. 111c), the senior DRC official reminded that Article 20 of Act 13/005 on the status of FARDC personnel prohibits officers from engaging in trade directly or through an intermediary. The senior official also told the Group that the cases mentioned in the report (see S/2015/19, 74-78 and 79-83) were already investigated by the relevant authorities. The Group was not informed of the result of the investigations, but noted the continuous involvement of FARDC officers in coffee and cocoa trade in Beni Territory.

Regarding the Group's findings of predatory actions of certain elements of the unit for agriculture and natural resources (D.Agri, now known as the *Direction de Production*), mineshaft owners told the Group that there had been a noticeable improvement in this unit's conduct. Mine operators also told the Group that they considered the *Direction de Production* unit at least in part responsible for a significant reduction in extortion by those regular FARDC elements stationed in the Misisi area. According to four mineshaft owners, the FARDC regular units no longer demand the proceeds of 24-hour periods of production, as was the case in the past.

The Group also recommended that the Government of the DRC enforce existing regulations (Ministerial Decree No. 0057) by stopping air cargo companies and agencies from transporting minerals out of the Lulingu area in Shabunda territory, where Raia Mutomboki factions benefit from its taxation (see S/2015/19 para 111d). A senior FARDC official told the Group that FARDC operations resulted in the neutralization and surrender of Raia Mutomboki leaders and put an end to the uncontrolled transport of minerals and taxation in Shabunda territory. The Group notes that many key leaders and elements of Rai Mutomboki factions did indeed surrender, but Shabunda Territory is not clear of the presence of Raia Mutomboki combatants. The Group notes that some Raia Mutomboki leaders, including "General" Kimba (see S/2015/19, para 193), are still in the bush. "General Kikuni" (see S/2015/19, paras. 183-186, and S/2015/797, paras. 51–53) was no longer in Lulingu when the Group conducted its investigations, but some from his group remained behind and were still involved in the taxation of.minerals.

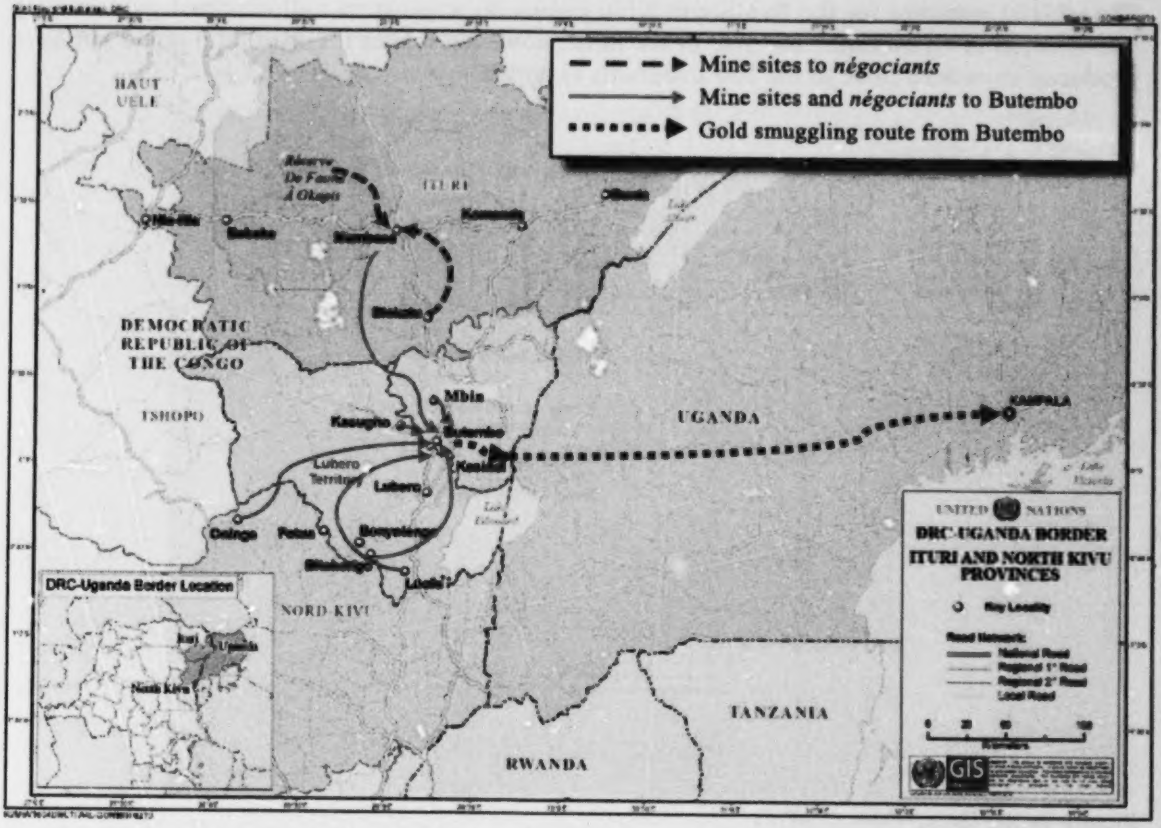
Annex 45: FARDC barrier in Misisi in Fizi Territory of South Kivu

At this FARDC barrier, miners were charged 500 CFD ($0.54) to enter the mining site, and bicycles were charged 1,000 CFD ($1.08) on their way out.



Picture by the Group (March 2016)

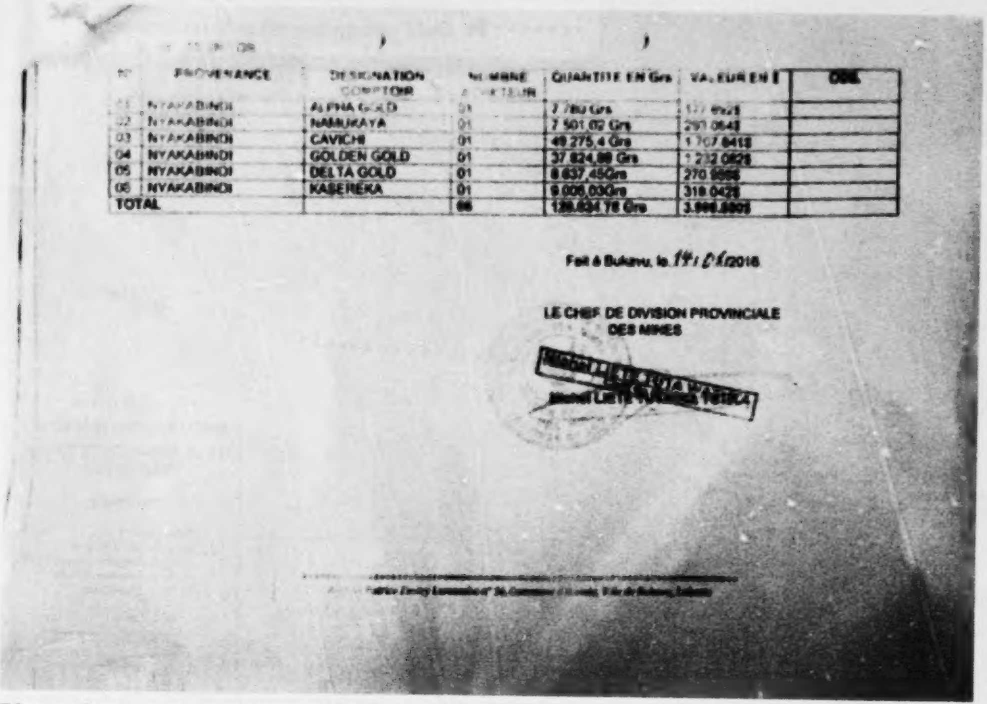
Annex 46: The path of gold to Butembo in North Kivu



Map by MONUSCO / markings by the Group

Annex 47: Nyakindi gold mining site in Walungu Territory in South Kivu

The official statistics for the five South Kivu *comptoirs* suggest that all exported gold in 2015 was sourced in Nyakibindi. The size of the mine, however, makes it clear that it could not have produced anywhere close to the 120 kilograms exported.



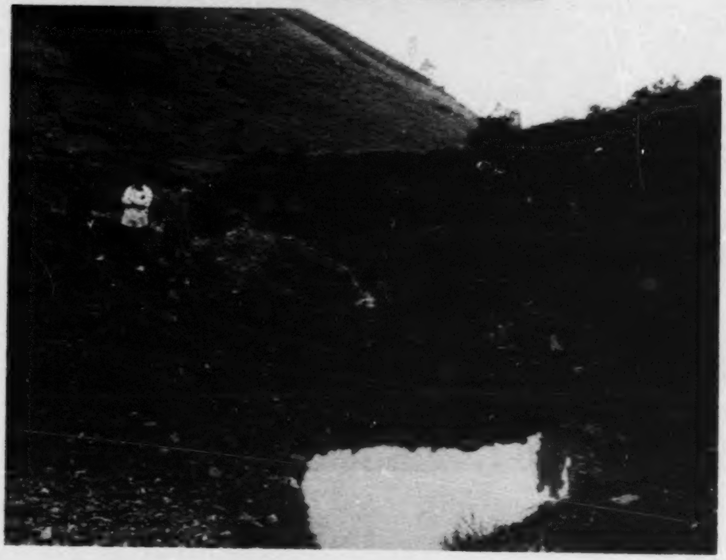
N°	PROVENANCE	DESIGNATION COMPTOIR	NOMBRE ACHETEUR	QUANTITE EN Grs	VALEUR EN $	OBS
01	NYAKABINDI	ALPHA GOLD	01	7 780 Grs	177 [illegible]	
02	NYAKABINDI	NAMUKAYA	01	7 501,02 Grs	293 [illegible]	
03	NYAKABINDI	CAVICHI	01	49 275,4 Grs	1 707 [illegible]	
04	NYAKABINDI	GOLDEN GOLD	01	37 824,88 Grs	1 232 0825	
05	NYAKABINDI	DELTA GOLD	01	8 637,45Grs	270 [illegible]	
06	NYAKABINDI	KASEREKA	01	9 006,03Grs	318 0425	
TOTAL			06	[illegible] Grs	[illegible]	

Fait à Bukavu, le 14/01/2016

LE CHEF DE DIVISION PROVINCIALE
DES MINES

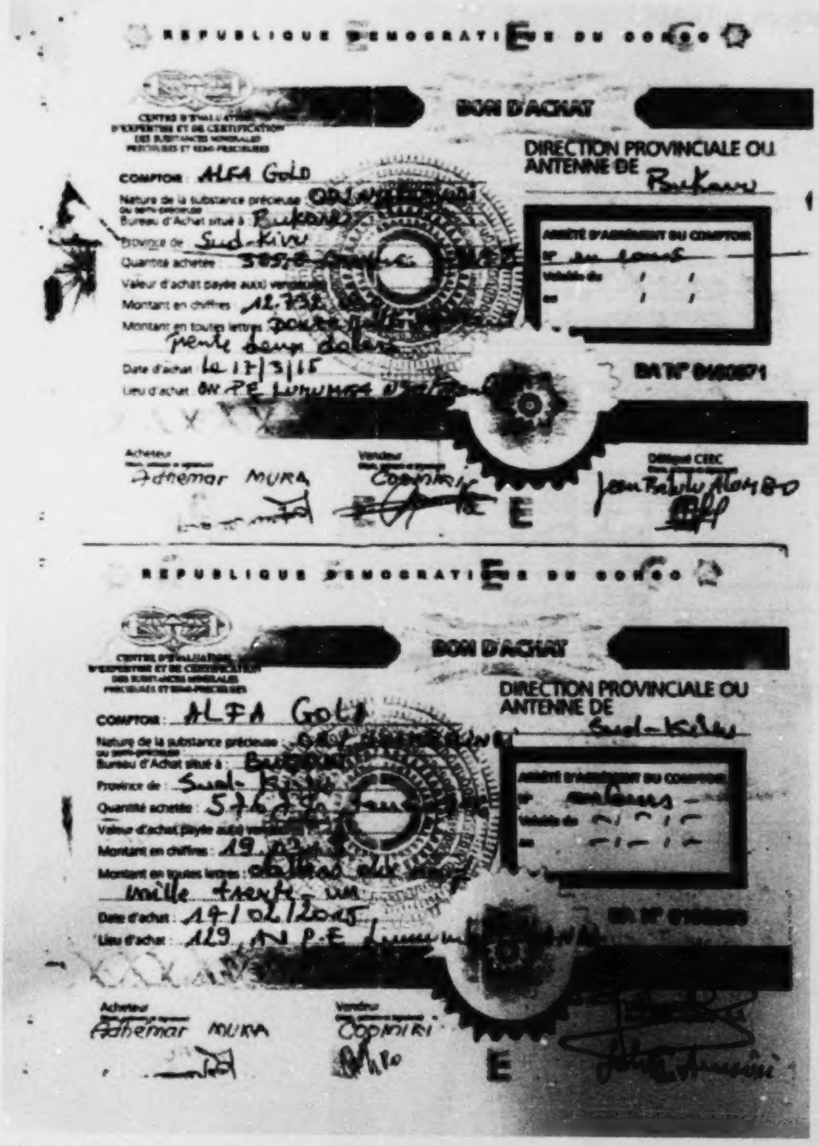
Michel LIETE [illegible]

Picture by the Group (March 2016)



Photos provided to the Group.

The purchase receipts below for Bukavu-based *comptoir* Alfa Gold show the gold's origin as Nyakibindi. The seller is listed as the cooperative COOMIKI, however, which operates in Misisi, not Nyakibindi.



REPUBLIQUE DEMOCRATIQUE DU CONGO

CENTRE D'EVALUATION, D'EXPERTISE ET DE CERTIFICATION DES SUBSTANCES MINERALES PRECIEUSES ET SEMI-PRECIEUSES

BON D'ACHAT

DIRECTION PROVINCIALE OU ANTENNE DE Bukavu

COMPTOIR ALFA Gold
Nature de la substance précieuse ou semi-précieuse Or [illegible]
Bureau d'Achat situé à Bukavu
Province de Sud-Kivu
Quantité achetée 385,8 [illegible]
Valeur d'achat payée au(x) vendeur(s)
Montant en chiffres 12.732 [illegible]
Montant en toutes lettres Douze mille [illegible] trente deux dolars
Date d'achat le 17/3/15
Lieu d'achat AV. P.E. Lumumba [illegible]

ARRÊTÉ D'AGRÉMENT DU COMPTOIR
N° en cours
Validité du / /
au / /

BA N° 0160871

Acheteur Nom, prénom et signature Adhemar MURA
Vendeur Nom, prénom et signature Coomiki
Délégué CEEC Jean [illegible] ALOMBO

REPUBLIQUE DEMOCRATIQUE DU CONGO

CENTRE D'EVALUATION, D'EXPERTISE ET DE CERTIFICATION DES SUBSTANCES MINERALES PRECIEUSES ET SEMI-PRECIEUSES

BON D'ACHAT

DIRECTION PROVINCIALE OU ANTENNE DE Sud-Kivu

COMPTOIR : ALFA Gold
Nature de la substance précieuse ou semi-précieuse : Or [illegible]
Bureau d'Achat situé à : Bukavu
Province de : Sud-Kivu
Quantité achetée : 576,3 [illegible]
Valeur d'achat payée au(x) vendeur(s)
Montant en chiffres : 19.[illegible]
Montant en toutes lettres : [illegible] dix-neuf mille trente-un
Date d'achat : 19/02/2015
Lieu d'achat : 129 AV P.E. Lumumba

ARRÊTÉ D'AGRÉMENT DU COMPTOIR
N° en cours
Validité du -/-/-
au -/-/-

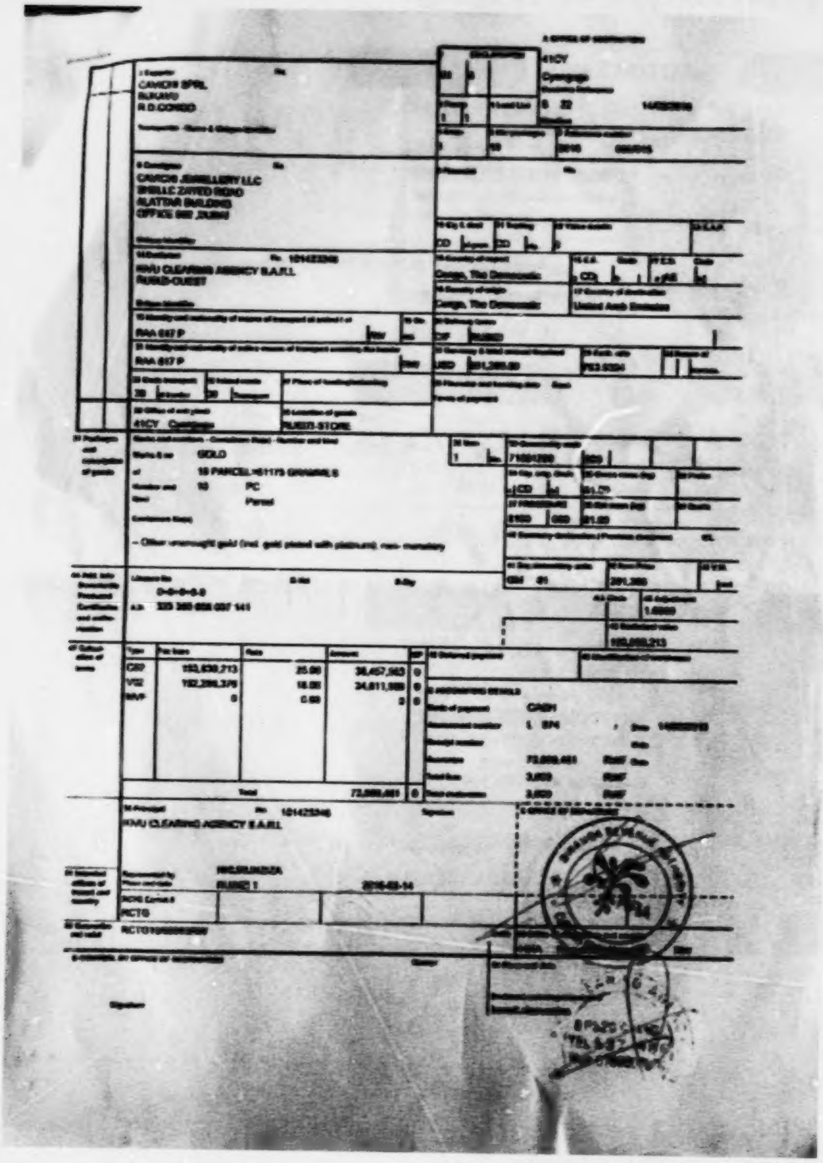
BA N° [illegible]

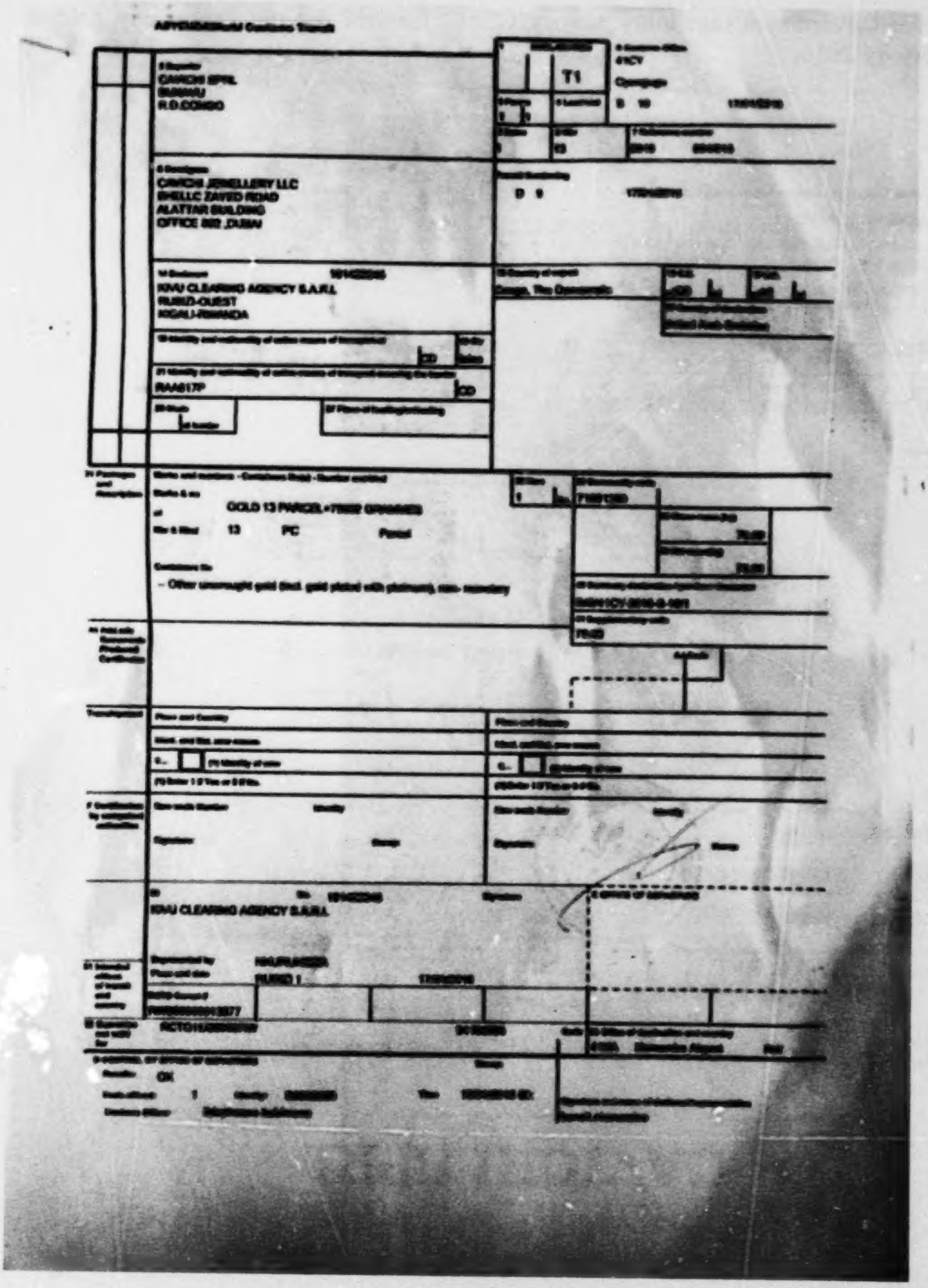
Acheteur Nom, prénom et signature Adhemar MURA
Vendeur Nom, prénom et signature Coomiki

Picture by the Group (February 2016)

Annex 48: Cavichi SARL

The following two Rwandan Transit Declaration forms show that Cavichi declared an export of
kilograms of gold on 14 February 2016 and 79 kilograms of gold on 17 January 2016. In both case
the gold was transiting via Rwanda to Dubai.





T1

CAVICHI SPRL
BUKAVU
R.D.CONGO

CAVICHI JEWELLERY LLC
SHEIKH ZAYED ROAD
ALATTAR BUILDING
OFFICE 802 ,DUBAI

KIVU CLEARING AGENCY S.A.R.L
RUSIZI-OUEST
KIGALI-RWANDA

CD

RAA617P CD

Congo, The Democratic

GOLD 13 PARCEL

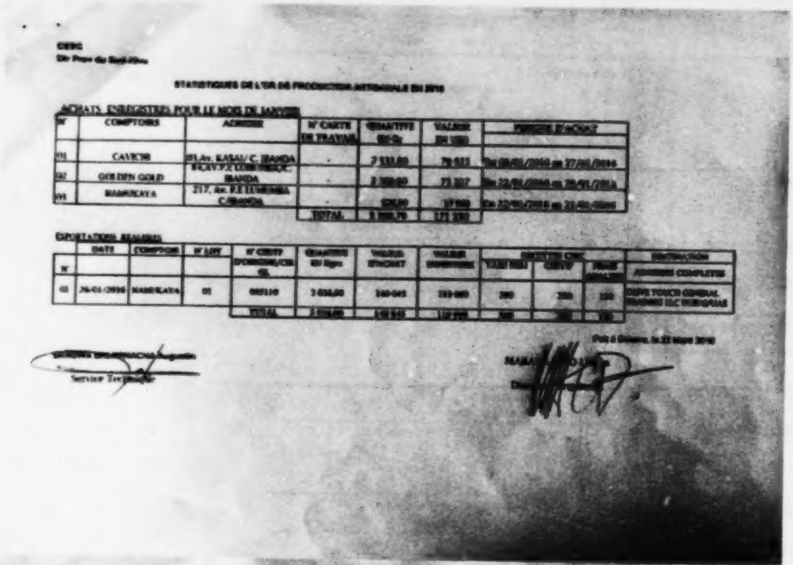
13 PC Parcel

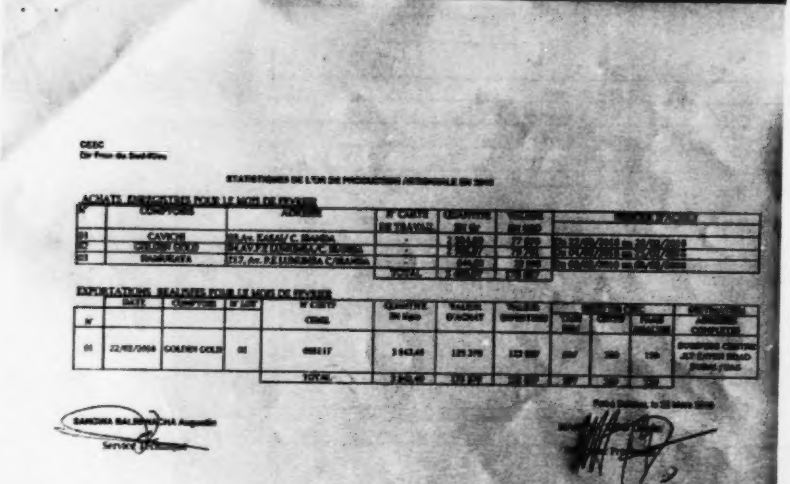
-- Other unwrought gold (incl. gold plated with platinum), non- monetary

KIVU CLEARING AGENCY S.A.R.L

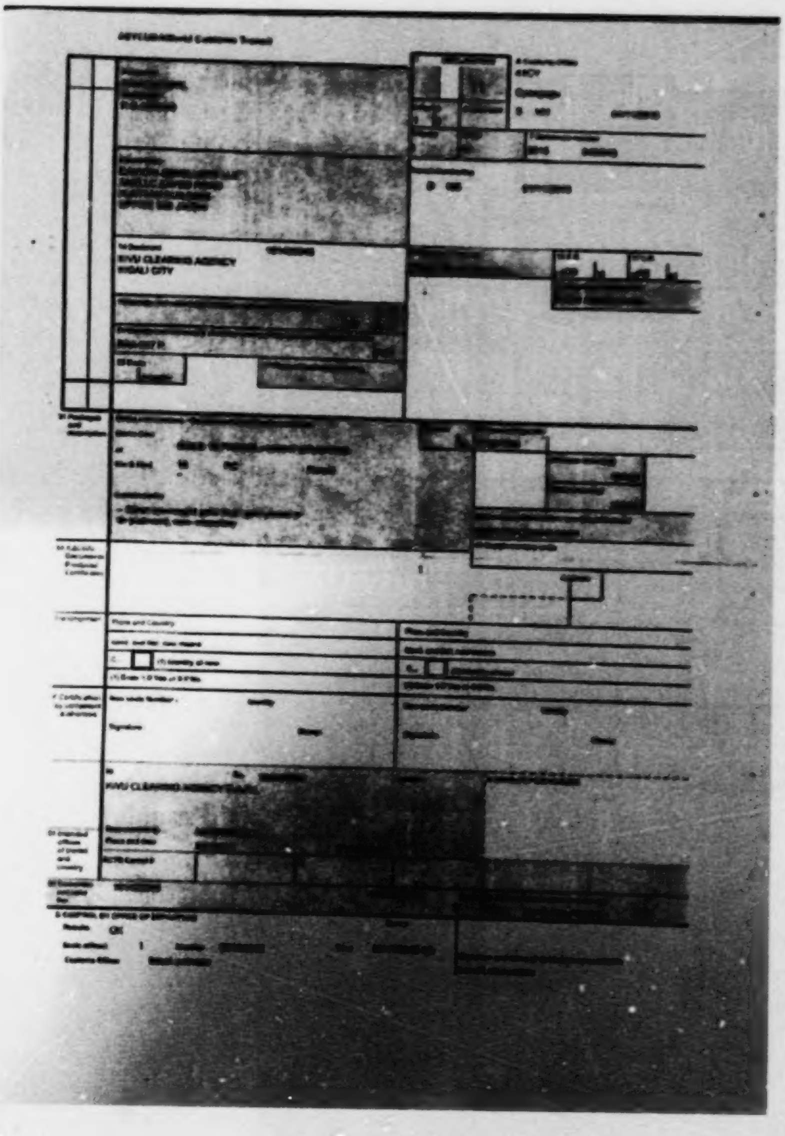
OK

According to the Government regulatory agency CEEC, Cavichi did not export any gold in January or February 2016.

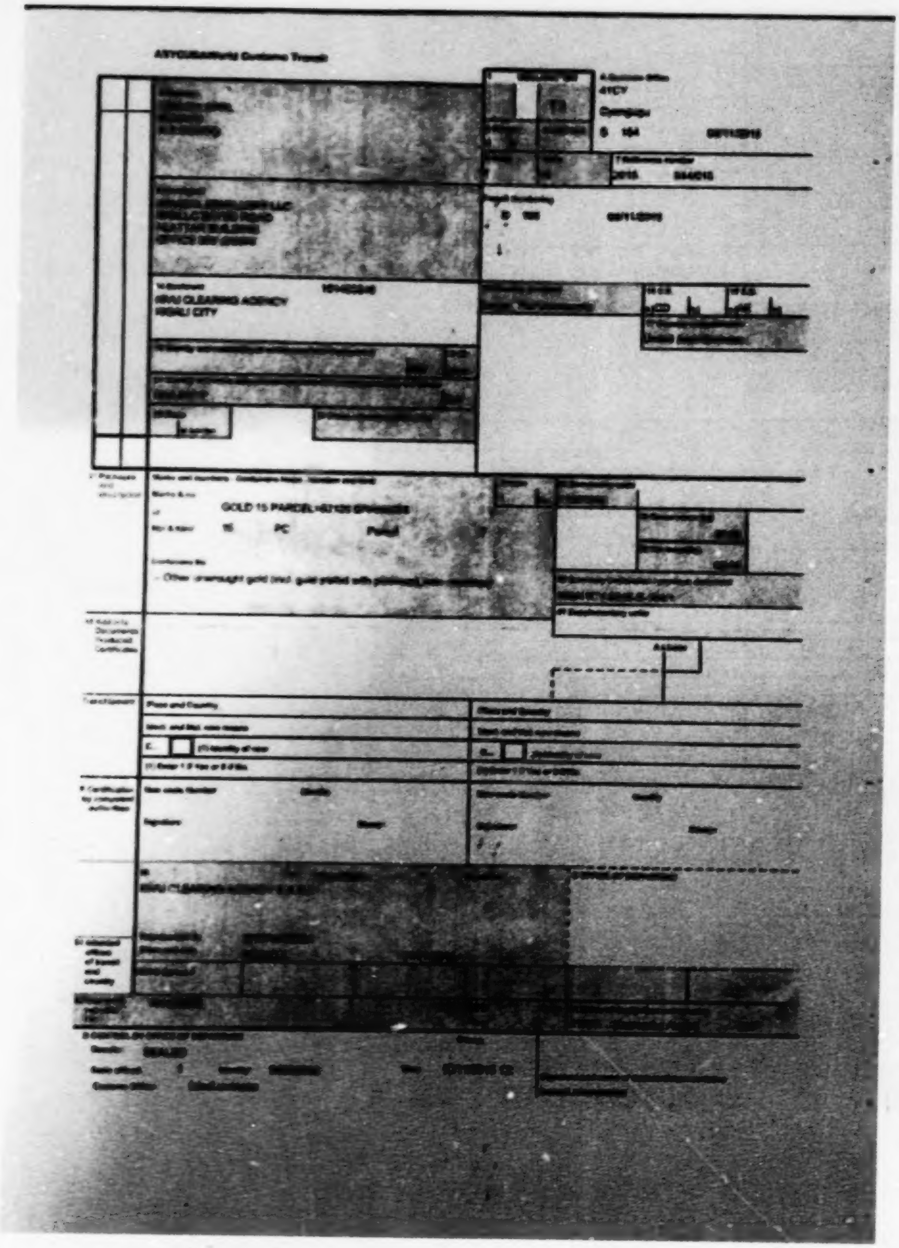




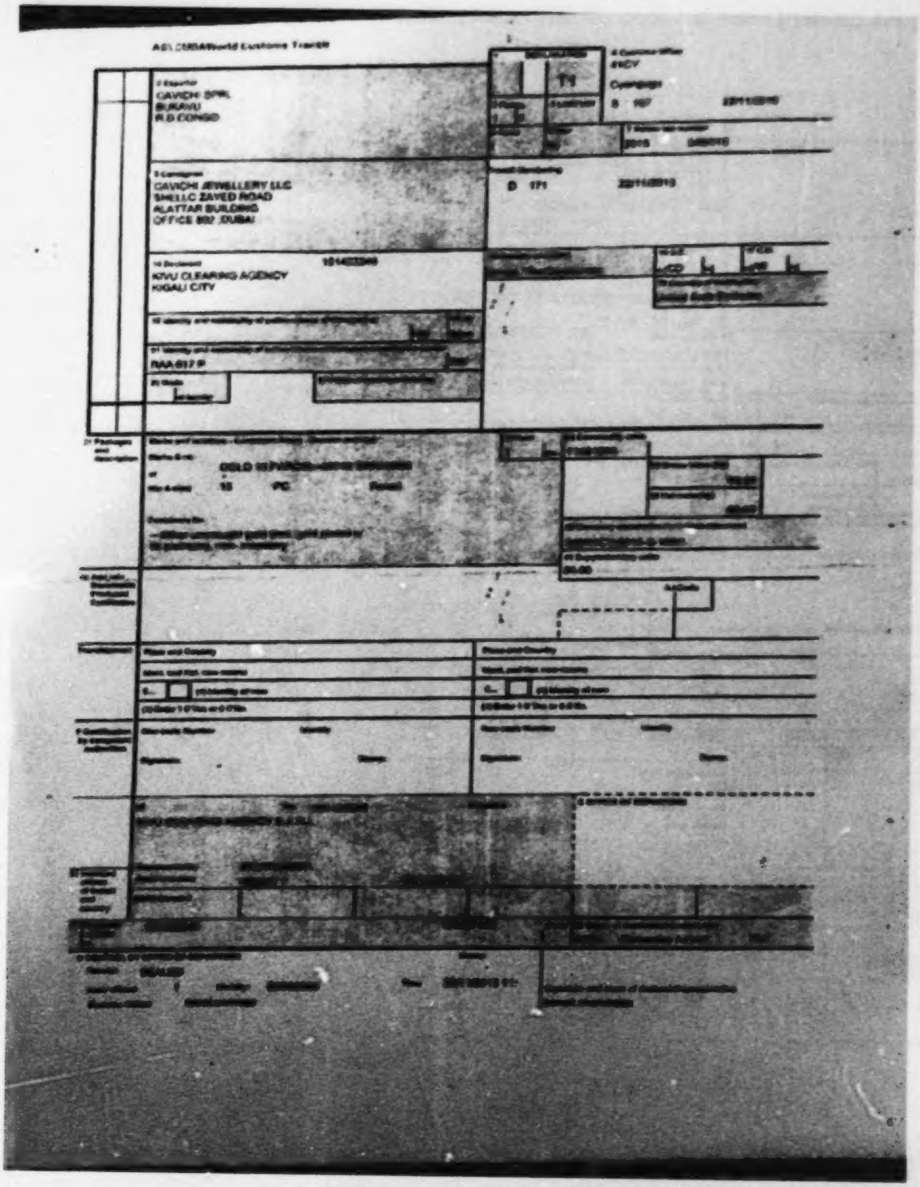
This Rwandan Transit Declaration form shows that Cavichi declared an export of 100 kilograms of gold, transiting via Rwanda to Dubai on 1 November 2015.



This Rwandan Transit Declaration form shows that Cavichi declared an export of 82 kilograms of gold, transiting via Rwanda to Dubai on 8 November 2015.



This Rwandan Transit Declaration form shows that Cavichi declared an export of 88 kilograms of gold, transiting via Rwanda to Dubai on 22 November 2015.



ASYCUDAWorld Customs Transit

T1

CAVICHI SPRL
BUKAVU
R.D CONGO

CAVICHI JEWELLERY LLC
SHEIKH ZAYED ROAD
ALATTAR BUILDING
OFFICE [illegible] ,DUBAI

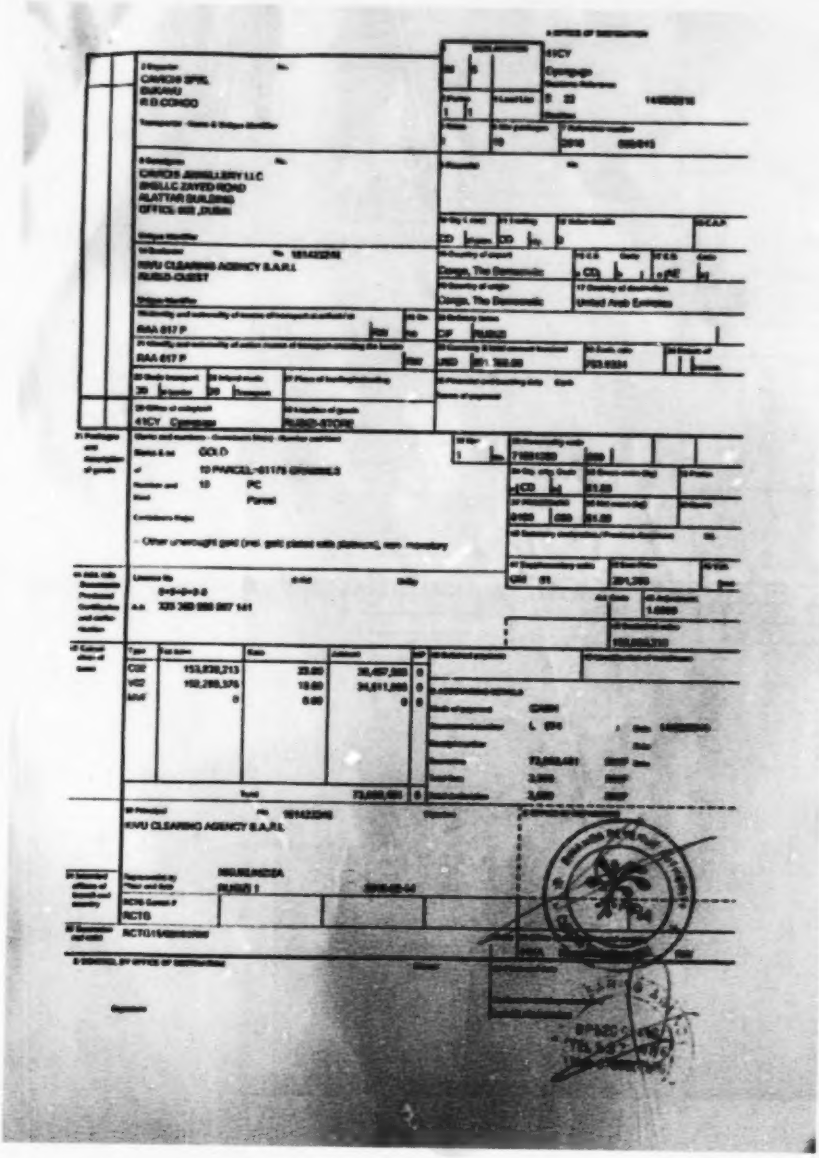
D 171 22/11/2015

KIVU CLEARING AGENCY
KIGALI CITY

GOLD [illegible]

Annex 49: False documents used by Cavichi to export gold

In this Rwandan Transit Declaration Form, Cavichi claims that the 61 kilograms of exported gold (with a 78% gold content) has a value of $201,366, which is just over 10 percent of the real value.



41CY

KIVU CLEARING AGENCY S.A.R.L

Congo, The Democratic

Congo, The Democratic

United Arab Emirates

RAA 617 P

RAA 617 P

41CY

GOLD

10 PC

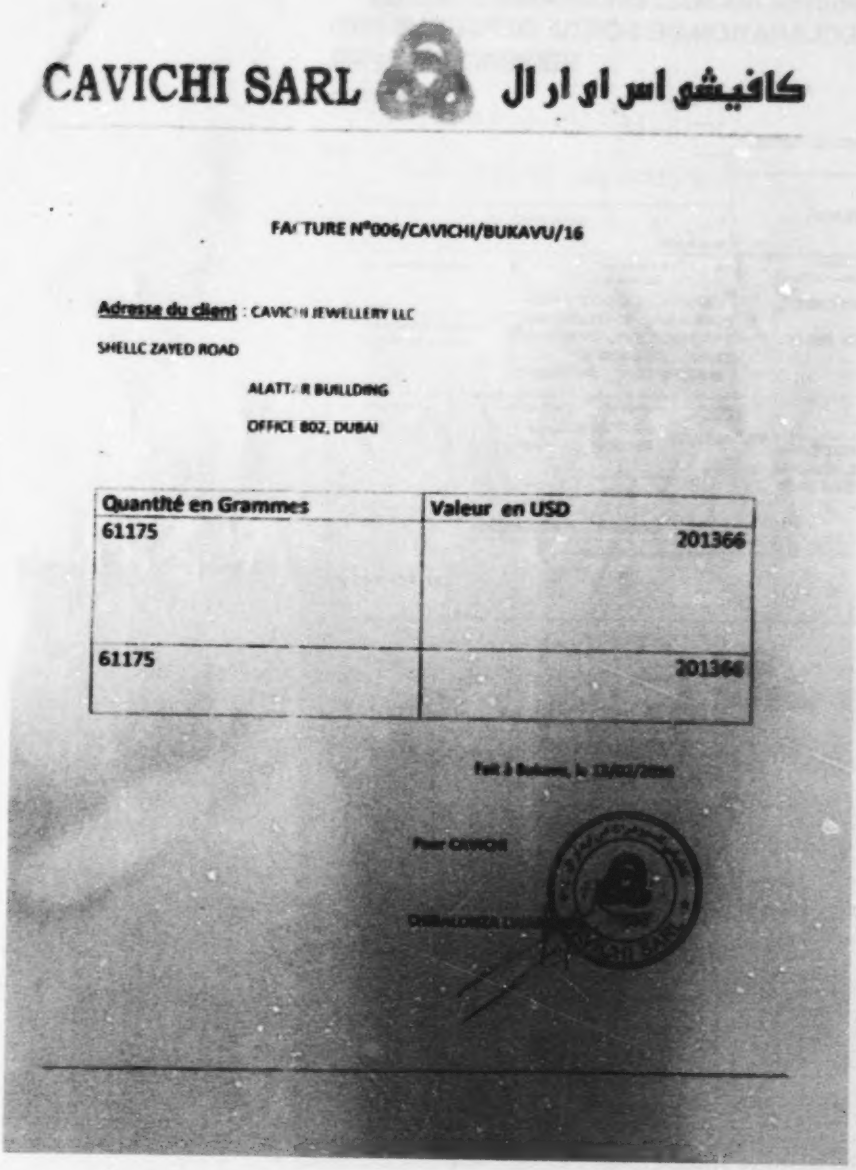
Parcel

- Other unwrought gold (incl. gold plated with platinum), non- monetary

CIF	153,830,213	23.00	[illegible]	0
VAT	0	0.00	0	0

KIVU CLEARING AGENCY S.A.R.L

The under-estimation of the gold's value was also presented in this document, which was submitted to Rwandan authorities.



CAVICHI SARL كافيشي اس اي ار ال

FACTURE N°006/CAVICHI/BUKAVU/16

Adresse du client : CAVICHI JEWELLERY LLC
SHELLC ZAYED ROAD
ALATT R BUILLDING
OFFICE 802, DUBAI

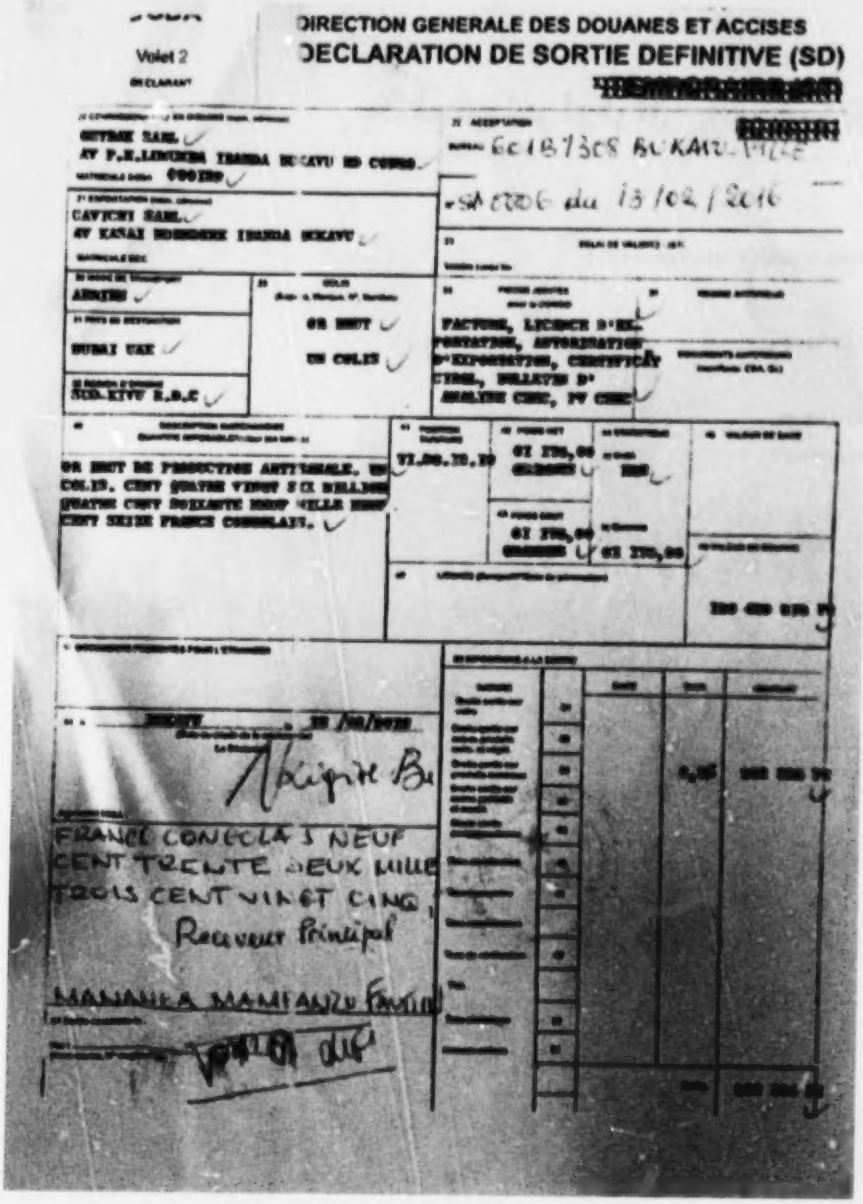
Quantité en Grammes	Valeur en USD
61175	201366
61175	201366

Fait à Bukavu, le 13/02/2016

Pour CAVICHI

CHIBALONZA [illegible]

A falsified DRC Customs declaration continues the under-declaration of the gold's value (186,469,916 CDF / approximately $200,000).



Volet 2

DIRECTION GENERALE DES DOUANES ET ACCISES

DECLARATION DE SORTIE DEFINITIVE (SD)

[redacted]

ACCEPTATION [redacted]

6C 187308 BUKAVU-VILLE

SA 0006 du 13/02/2016

CAVICHI SARL.

AERIEN

DUBAI UAE

SUD-KIVU R.D.C

OR BRUT

UN COLIS

FACTURE, LICENCE D'EXPORTATION, AUTORISATION D'EXPORTATION, CERTIFICAT CIRGL, BULLETIN D'ANALYSE CEEC, PV CEEC

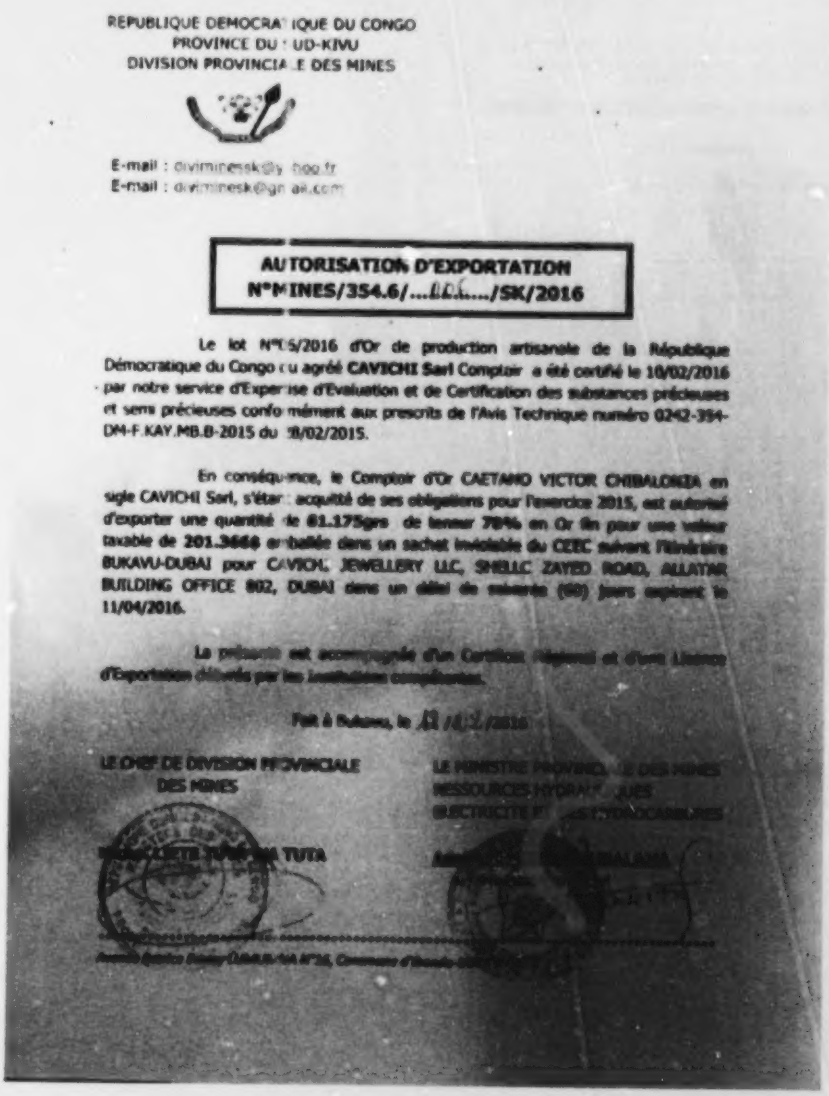
OR BRUT DE PRODUCTION ARTISANALE, UN COLIS. CENT QUATRE VINGT SIX MILLIONS QUATRE CENT SOIXANTE NEUF MILLE NEUF CENT SEIZE FRANCS CONGOLAIS.

FRANCS CONGOLAIS NEUF CENT TRENTE DEUX MILLE TROIS CENT VINGT CINQ

Receveur Principal

MANANGA MAMFANZU Faustin

This document was issued by the provincial mining authority and granted authorization for export; the gold's value continues to be under-declared. In addition, the issuing authority itself published statistics for the month of February 2016, which indicate that Cavichi exported only 5.45 kilograms of gold, not 61.175 kilograms.



REPUBLIQUE DEMOCRATIQUE DU CONGO
PROVINCE DU SUD-KIVU
DIVISION PROVINCIALE DES MINES

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AUTORISATION D'EXPORTATION
N°MINES/354.6/...002.../SK/2016

Le lot N°05/2016 d'Or de production artisanale de la République Démocratique du Congo au agréé **CAVICHI Sarl Comptoir** a été certifié le 10/02/2016 par notre service d'Expertise d'Evaluation et de Certification des substances précieuses et semi précieuses conformément aux prescrits de l'Avis Technique numéro 0242-354-DM-F.KAY.MB.B-2015 du 18/02/2015.

En conséquence, le Comptoir d'Or CAETANO VICTOR CHIBALONZA en sigle CAVICHI Sarl, s'étant acquitté de ses obligations pour l'exercice 2015, est autorisé d'exporter une quantité de **61.175grs** de teneur **78%** en Or fin pour une valeur taxable de **201.3666** emballée dans un sachet inviolable du CEEC suivant l'itinéraire BUKAVU-DUBAI pour CAVICHI JEWELLERY LLC, SHELLC ZAYED ROAD, ALLATAR BUILDING OFFICE 802, DUBAI dans un délai de soixante (60) jours expirant le 11/04/2016.

La présente est accompagnée d'un Certificat Régional et d'une Licence d'Exportation délivrés par les institutions compétentes.

Fait à Bukavu, le 12/02/2016

LE CHEF DE DIVISION PROVINCIALE
DES MINES

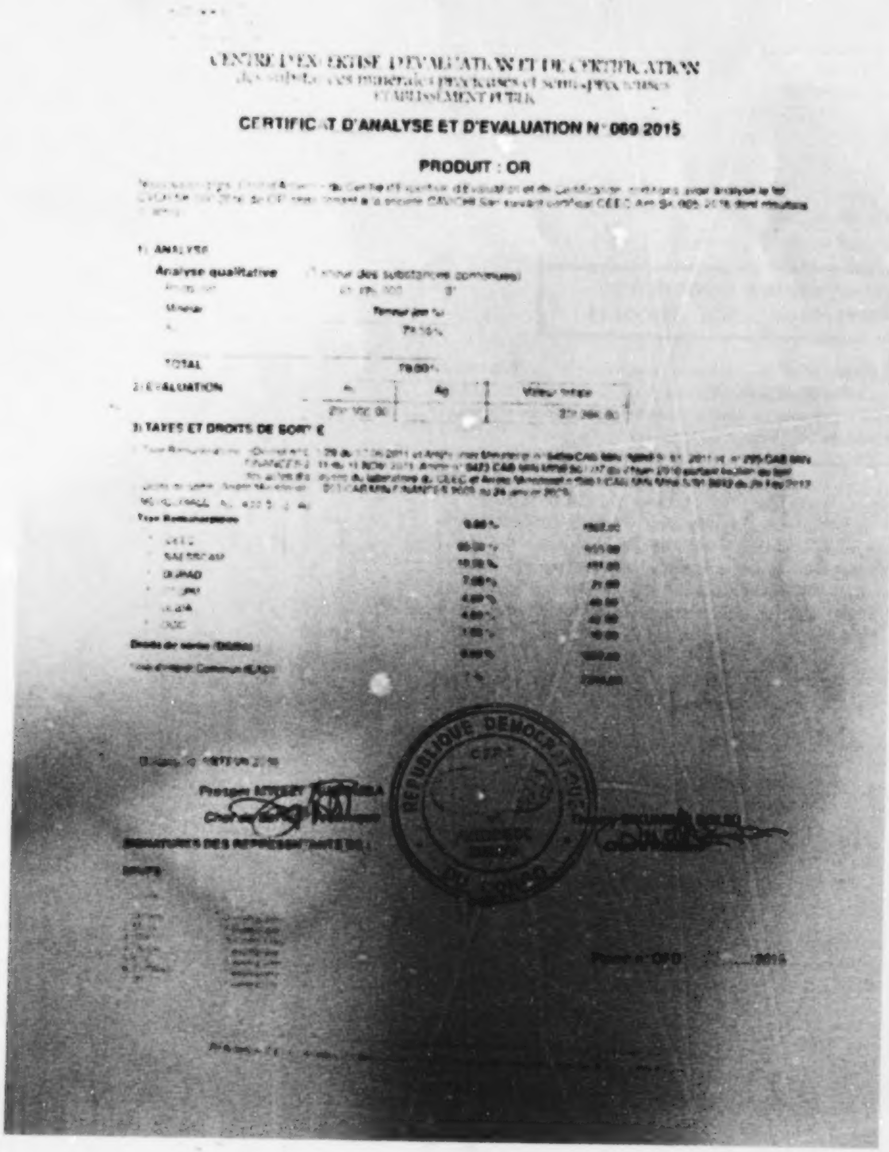
[illegible] TUTA

LE MINISTRE PROVINCIAL DES MINES
RESSOURCES HYDRAULIQUES
ELECTRICITE ET DES HYDROCARBURES

[illegible]

[illegible]

This falsified CEEC document shows the gold is again declared at a fraction of its real value. The alleged signatory for CEEC is the previous director of the South Kivu office, who left in November 2015 and told the Group that he had signed no documents for CEEC in South Kivu since that date.



CENTRE D'EXPERTISE D'EVALUATION ET DE CERTIFICATION

ETABLISSEMENT PUBLIC

CERTIFICAT D'ANALYSE ET D'EVALUATION N° 069 2015

PRODUIT : OR

1) ANALYSE

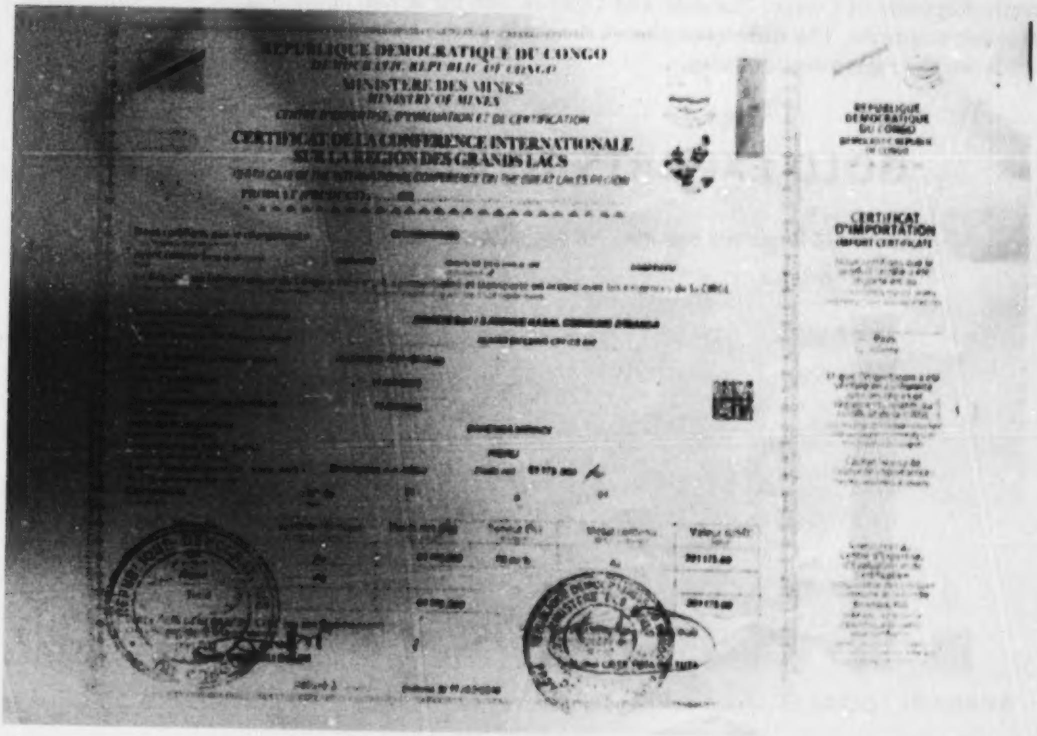
Analyse qualitative

TOTAL

2) EVALUATION

3) TAXES ET DROITS DE SORTIE

This falsified ICGLR certificate had the same undervaluation of the gold and used the forged signature of the previous CEEC provincial director.



REPUBLIQUE DEMOCRATIQUE DU CONGO
DEMOCRATIC REPUBLIC OF CONGO
MINISTERE DES MINES
MINISTRY OF MINES
CENTRE D'EXPERTISE, D'EVALUATION ET DE CERTIFICATION

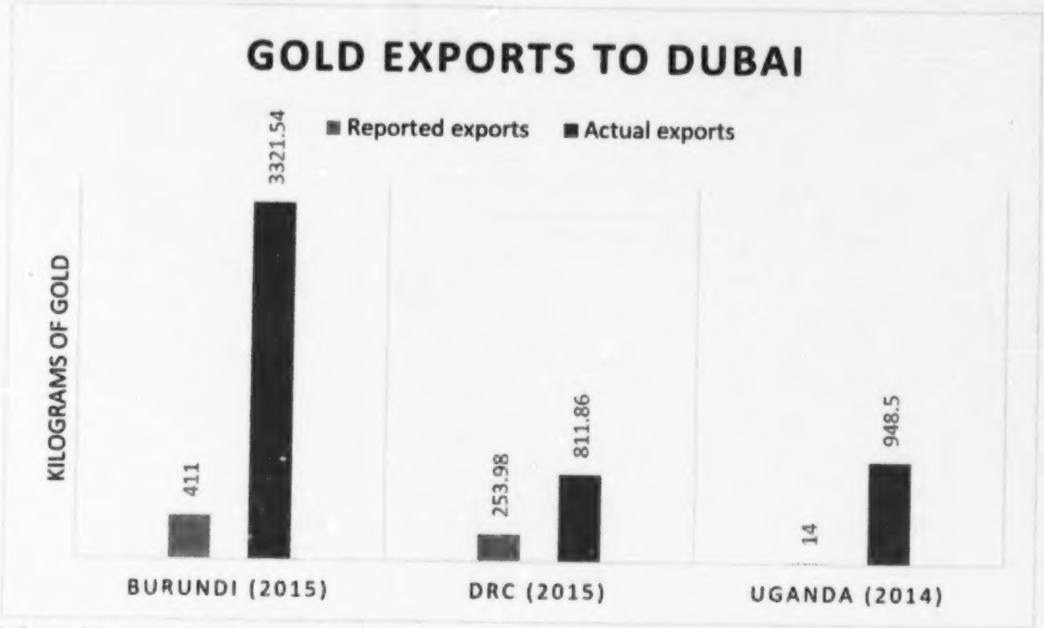
CERTIFICAT DE LA CONFERENCE INTERNATIONALE SUR LA REGION DES GRANDS LACS
CERTIFICATE OF THE INTERNATIONAL CONFERENCE ON THE GREAT LAKES REGION

REPUBLIQUE DEMOCRATIQUE DU CONGO

CERTIFICAT D'IMPORTATION
IMPORT CERTIFICATE

Annex 50: Gold exports to Dubai

The Group notes the large discrepancy between the official gold export statistics of the Government of the Democratic Republic of Congo, Burundi, and Uganda, and the actual amounts that were imported to Dubai from those countries. The difference shows the scale of the smuggling, as well as the significant loss of revenue for the exporting countries.



Infographic by the Group (April 2016)

Annex 51: Gold smuggling in Uganda

During the course the Group looked into Uganda as a route for the gold smuggled from eastern DRC. The Group exchanged communications with the Ugandan authorities on various issues related to its gold investigations and met with the directors of th sanctioned entity United Commercial Impex Ltd (UCI).

1. Ongoing gold smuggling from eastern DRC to Kampala

The Group believes that Kampala is still a destination for gold illegally traded from the eastern DRC, consistent with the Group's findings in its previous report (see S/2015/19 para 200-201). In Butembo, Bunia and Mambasa, the main transit centers of ASM gold sourced in Lubero, Mambasa and South Irumu territories, *negociants*, brokers and mining officials told the Group that Kampala was the main recipient of the gold smuggled from these cities. Two negociants in Bunia told the Group that they were traveling regurlarly to Kampala in order to sell the gold. In Butembo, four brokers told the Group that they were financed by ugandan nationals to whom they bring gold collected in mine sites in Lubero Territory. One of the brokers told the Group that he was meeting his Ugandan contact once a month on the Ugandan side of the border in Kasindi. The same broker told the Group he had no difficulty crossing the border with gold. Two gold brokers in Kampala told the Group that they facilitated gold sales between Butembo-based gold smugglers and consignees in Kampala. Based on its investigations in the eastern DRC and Kampala, the Group believes that the major Kampala-based gold buyers documented in previous reports (see, for example, S/2015/19, paras. 204 -209) are still active in the trade of gold sourced in the eastern DRC. The Group did not, however, obtain conclusive material evidence on the role played by these actors during the course of its mandate. The Group therefore believes that the issue should continue to be investigated.

2. Communication with Ugandan authorities

The Group is grateful to the Ugandan authorities who granted the opportunity to visit the country on several occasions during the course of its mandate. For its investigations on gold, the Group sent official letters to Ugandan authorities requesting export statistics, an update of the measures taken in order to implement the Security Council decision to sanction the two entities (UCI Ltd and Machanga Ltd) and the report on the investigations conducted on the Kampala-based gold traders as announced on 22 October 2014 (see S/2015/19, para. 203). During an official meeting with a senior Ugandan official at the Ministry of Foreign Affairs on 8 January 2016, the Group made the same requests. As of the writing of this report, the Group had not received any response from the authorities of Uganda.

3. Meetings with the directors of UCI Ltd

During the course of its mandate, the Group met with the directors of the sanctioned entity UCI Ltd on two occasions and exchanged email communications with them. The UCI directors informed the Group that they no longer owned two of the holdings previously mentioned in the Group's report (see S/2015/19, Annex 61): Hotel International on Tank Hill Road and the holding located at Plot 2825, also on Tank Hill Road.

Annex 52: Gold exports from Burundi

The Group received the following information from the Government of Burundi regarding gold exports.

Exporter	Kg of gold exported in 2015
AMEX	207.84
HIGH SPEED	40
BGE	137.5
NIVID	25.67
GOLDEN GOLD	0
Total	**411.08**

Annex 53: Recommendations for improved control of hand-carry gold in Dubai

As explained in this report (see paras. 170-173), smugglers from the eastern Democratic Republic of Congo and neighboring countries have found ways to export their gold to Dubai. The Group welcomes the recent efforts by the Government of the United Arab Emirates to engage on this issue and requests the Government take the following recommendations into consideration.

As the Democratic Republic of Congo and its neighboring countries are members of the ICGLR, their legislation requires that ASM gold be exported with certain documentation and in compliance with the tax laws of the country of the gold's origin. Because exporting countries' required documents and tax laws differ, the Group recommends increased collaboration between the Government of the United Arab Emirates and the ICGLR exporting countries. A regular exchange of information would allow for clarity on these regulations and the development of strategies for reducing smuggling.

The Group also recommends that the Government of the United Arab Emirates make any sale of gold from these exporting countries conditional upon the seller being able to show the required documentation, such as the national export license, proof of tax payment, and original ICGLR certificate.

The Group further recommends that Government of the United Arab Emirates create a database of official legal exporters (known as *comptoirs* in the Democratic Republic of Congo), along with the associates of these exporters, who are employed for the hand-carry of this gold.

The Group recommends that these hand-carry gold exporters be required to declare the full name and address of the purchaser to authorities of the United Arab Emirates on arrival in the country. The gold would then be released by the same authorities only for purchase by that designated buyer.

The Group believes illicit financial flows connected to the gold trade could also be reduced if buyers and exporters were required to complete their transactions by bank transfer, and the banks required the same demonstration of authenticated documents as mentioned above.

Finally, the Group recommends that the Government of the United Arab Emirates regularly share with the sanctions committee and the Group of Experts information regarding individuals and entities from the Democratic Republic of Congo and neighboring countries who are involved in suspicious gold-related activities.

Annex 54: Items recovered from poachers

Ivory poached by the LRA is transported out of DRC, via CAR, to the Kafia Kingi enclave, and then likely through Sudan to downstream destination markets. However, much of the ivory poached by other actors in the GNP transits through southern Sudan, via Uganda, to maritime transport through the ports of Mombasa and Dar es Salaam. There is also a local market - ivory carvings are discreetly available for sale in Dungu, the major town nearest the Park. The Group was offered, via intermediaries, 50 kilograms of ivory, at a cost of $150 per kg, by a trader based in Faradje, another town on the periphery of the GNP, and on one of the main ivory trafficking transportation routes for GNP ivory to Uganda, via Arua.

South Sudanese and Sudanese poachers are known to sell to local buyers in Haut Uele, which results in the ivory also exiting mainly via Arua. The Group was also offered, via intermediaries, ivory from a trader based in Kisangani. Kisangani is another hub for an alternate supply chain for ivory, which probably does not originate from the GNP, due to the difficulty of overland transport between Haut Uele and Bas Uele. However, in this case, prices were based upon a sliding scale decided by the weight of individual tusks: $200/kg for a piece weighing more than 10 kg, $180/kg for a piece weighing 8-9 kg, $150/kg for a piece weighing 5-7 kg, and $80/kg for a piece weighing less than 5 kg. This illustrates the high value attached to larger tusks from bull elephants, as well as their poaching-induced scarcity.

Equipment recovered following a 30 March 2016 engagement between the FARDC FRI and poachers. The bags have manufacturer tags stating "Product of Sudan." Writing on the packaging of the medicine, a box of coffee and tea also suggest a Sudanese origin. [Photo: confidential source]

South Sudanese military uniforms and equipment recovered from poachers in Garamba National Park [Photo: GNP].

Local Congolese poacher, photographed by GNP park guards after his arrest in August 2015 [Photo: GNP]

Annex 55: Attacks in Beni Territory

A local NGO in Beni Territory compiled a list of incidents where civilians were killed between October 2014 and March 2016. The list specifies whether civilians were killed with machetes ("tués par machete") or with firearms ("tués par arme à feu). The Group notes that after September 2015, most of the incidents involved firearms, while most of the killings before that period were committed with machetes. The total number of individuals killed for the period indicated below is 684.

LISTES DES TUERIES CONTRE LES CIVILS

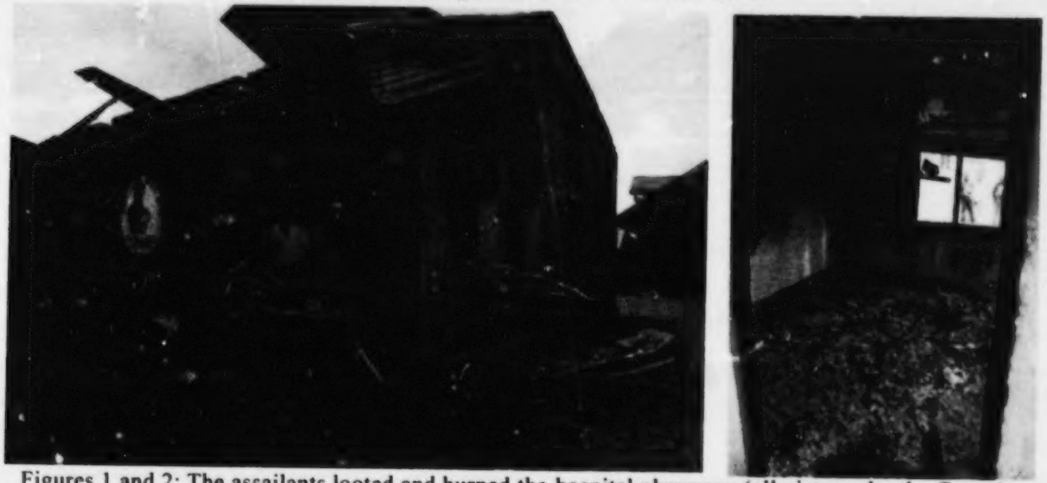
DATE	LIEU	TUÉS PAR MANCHETTE	TUÉS PAR ARME À FEU	TOTAL DES VICTIMES
2014				
2/10/2014	MUKOKO/ Gr.Bambuba Kisiki	1 Mort	1 Mort	2
2/10/2014	KOKOLA Gr.Bambuba Kisiki	2 Morts	-	2
4/10/2014	APETINA SANA/ gr. Batangi/ Mbau	6 Morts	1 Mort	7
4/10/2014	LINZOSISENE/ Gr.Bambuba Kisiki	12 Morts	-	12
5/10/2014	MUKOKO	1 mort	-	1 mort
6/10/2014	MAY MOYA/ Gr.Bambuba Kisiki	1 Mort	1 balle, 1 Brulée	3
6/10/2014	MAIBO/ Gr.Bambuba Kisiki	5 Morts	-	5
6-7/10/2014	MAIBO 2^e Tours /Gr B-KISIKI	10 morts, 1 corps brulé	1	11 morts
9/10/2014	OICHA TENAMBO/ Mamiki	10 Morts	-	10
15/10/2014	BENI/ Peripheries Ville	31 Morts	-	31
17/10/2014	ERINGETI/ Gr.Bambuba Kisiki	24 Morts	-	24
17/10/2014	MBAU/Madanda Gr.Batangi	7 Morts	-	7
23/10/2014	KOKOLA Gr.Bambuba Kisiki	2 Morts	-	2
29/10/2014	MANGO/ Bango Gr. Kinama	8 Morts	-	8
1/11/2014	MUNZAMBAYE KASINGA et BUILI	19 Morts	-	19
3/11/2014	ONDOTO	2 Morts	-	2
14-15/11 2014	MANZATI/Province Orientale	4 Morts	-	4
4/11/2014	NTOI KELE KELE MBAU/ Batangi	1 Mort	-	1
20/11/2014	TIPIOMBA, VEMBA, MASULUKWEDE/Mbau	120 Morts	-	120
21/11/2014	ONDOTO	2 Morts	-	2
27/11/2014	BAUNGATSU/Eringeti	-	1	1

1/12/ 2014	ERINGETI	4 morts, 2 blessés	-	4 morts et 2 blessés
6 -7/12014	MANZANZABA et AHILI	38 morts		38 morts
7-8/12/2014	APETINA SANA/Gr BATANGI	6 morts		6 morts
7-8/12/2014	MULOBYA /Gr B-KISIKI	3 morts		3 morts
7-8/12/2014	MALIBO /Gr BATANGI	3 morts		3 morts
7-8/12/2014	MABASELE /Commune Rurale OICHA	-	1	1 mort
8-9/12/2014	MUSUKU/MBAU	1 mort		1 mort
9-10/12/2014	MBINGI /Gr BATANGI	1 mort		1 mort
9-10/12/2014	MAMUZUBU /Gr BATANGI	4 morts		4 morts
14/12/2014	MABUO /Gr BATANGI	5 morts		5 morts
19/12/2014	MONGOMONGO	9 morts		9 morts
21-22/12/2014	TINGWE	3 morts		3 morts
26-27/12/2014	SULUNGWE /Gr BATANGI	4 morts		4 morts
14/12/2014	KALALANGWE	3 morts		3 morts
26/12/2014	OTOMABERE	1 mort		1 mort
25/12/2014	MBUME	14 morts		14 morts
TOTAL 373 MORTS				
2015				
Du 1^{ER} au 2/02/2015	MUKIDA/ MAVIVI	1 Mort	-	1 Mort
Du 3 au 4/02/2015	KIDIDIWE/ MAVIVI	21 Morts	-	21 Morts
Du 4 au 5/02/2015	KAMBIYA MIBA/ MAVIVI	3 Morts	-	3 Morts
Du 15 au 16/02/2015	MALOLU/ MAVIVI	2 Morts	-	2 Morts
Du 18 au 19/02/2015	MATUKAKA	9 Morts	-	9 Morts
Le 14/03/2015	KINZIKI /MAVIVI	6 Morts	1 Mort	7 Morts et 6 Blessés
Le 15/03/2015	MATIBA- KANANA	9 Morts	2 Morts	11 Morts
Du 24 au 25/03/2015	MBUMBULI/ IBANDA	2 Morts	-	2 Morts
Le 15/04/2015	MUKIDA / NGENGYA	-	1 Mort	1 Mort
Le 16/04/2015	MASULUKWEDE/ MAVIVI	2 Morts	-	2 Morts
Du 23 au 24/04/2015	KALONGO NGILINGILI KITHEVYA	5 Morts	-	5 Morts
Le 05/05/2015	MAIBO/KISIKI	7 Morts	1 Mort	8 Morts
Du 8 au 9/05/2015	MATEMBO/ MAVIVI	1 Mort	-	1 Mort
Le 10/05/2015	MAVIVI	9 Morts	2 Morts	11 Morts
Le 11/05/2015	MAPEMBA-SAYO-MBUTABA	18 Morts	-	18 Morts
Du 11 au 12/05/2015	MBANDAKA KALONGO/ MAVIVI	7 Morts	-	7 Morts
Le 13/05/2015	MAPIKI/MANGOKO	3 Morts	-	3 Morts
Le 13/05/2015	FUNGULA	-	1 Mort	1 Mort
Le 13/05/2015	MAKUMBO	1 Mort	-	1 Mort

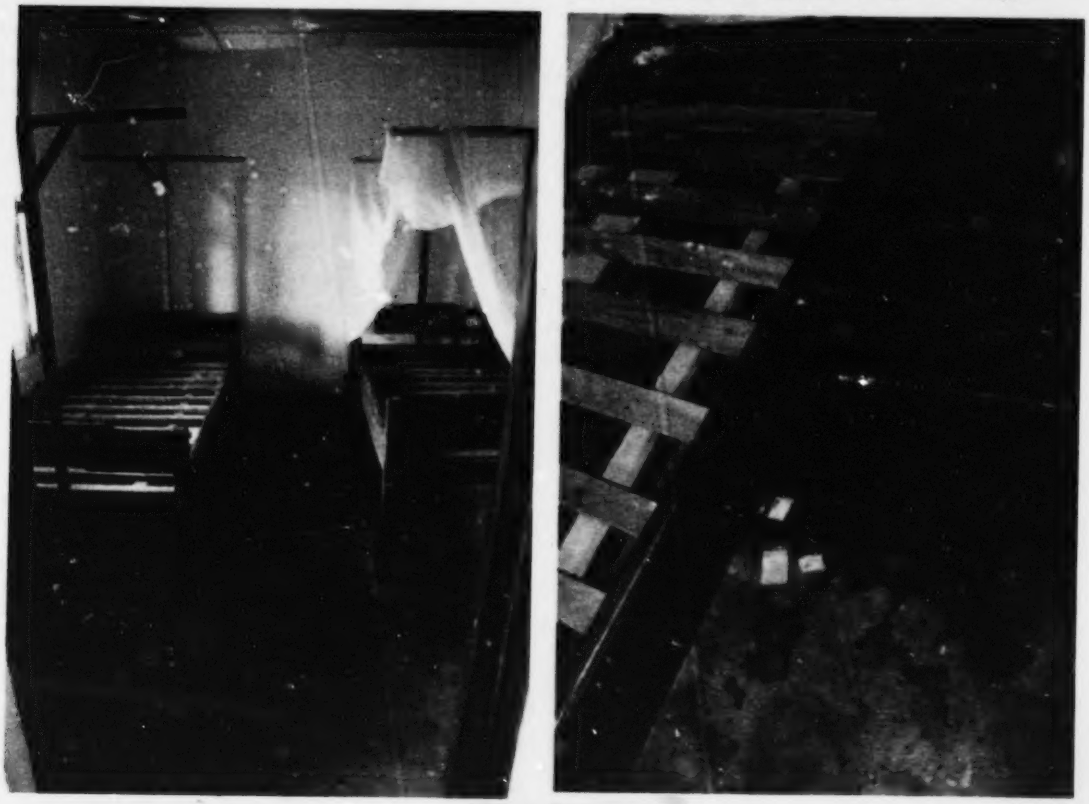
Le 14/05/2015	MBAU CENTRE	3 Morts	-	3 Morts
Le 14/05/2015	KATHIMADOKO/MBAU	7 Morts	-	7 Morts
Le 14/05/2015	SABU/MBAU	16 Morts	-	16 Morts
Le 16/05/2015	MUSUKU/ MBAU	7 Morts	-	7 Morts
Du 16 au 17/05/2015	UPENDE/MAVIVI	1 Mort	-	1 Mort
Le 20/05/2015	MBAU KITAURA	1 Mort	-	1 Mort
Le 21/05/2015	KISIKI-OPIRA TUNGUDU	4 Morts	1 Mort	5 Mort
Le 13/06/2015	TUNGUDU LINZO SISENE	16 Morts	2 Morts	18 Morts
Le 13/06/2015	MAY MOYA/KISIKI	4 Morts	-	4 Morts
Le26/05/2015	MAY MOYA/KISIKI	2 Morts	-	2 Morts
Du 14 au 15/07/2015	KAKUKU-MUGULUMUGULU-TSINGAMUVIRI/Province Orientale	11 Morts	-	11 Morts
Du 23 au 24/07/2015	MAY-MOYA	-	2 Morts	2 Morts
Le 21/08/2015	PK 25Km KAMBIYAMIBA	-	2 Morts	2 Morts
Le 05/09/2015	MUKIDA	2 Morts	-	2 Morts
Le 05/09/2015	NTOI	5 Morts	-	5 Morts parmi eux 2 sans tête
Le 05/09/2015	MAMUNDIOMA ROUTE KAMANGO	2 Morts	-	2 Morts
Le 06/09/2015	MALETA/ MBAU	2 Morts		2 Morts sans tête
Le 06/09/2015	PK 11Km TINAMEME	3 Morts		3 Morts
Le 09/09/2015	MAMOVE	-	6 Morts	6 Morts
Le 10/09/2015	KAINAMA	10 Morts	1 Mort	11 Morts
Le15/09/2015	MAY-MOYA	-	2 Morts	2 Morts
Le15/09/2015	MAMOVE	-	2 Morts	2 Morts
Le15/09/2015	KOKOLA	-	3 Morts	3 Morts
Le 21/09/2015	KOKOLA	-	2 Morts	2 Morts
Le 22/09/2015	KOKOLA	-	2 Morts	2 Morts
Le 23/09/2015	KOKOLA	-	2 Morts	2 Morts
Le 24/09/2015	AHILI	-	1 Mort	1 Mort
Le 25/09/2015	LINZO SISENE	-	1 Mort	1 Mort
Le 12/10/2015	MUKOKO	1 Mort	-	1 Mort
Le 12/10/2015	LINZO SISENE	-	1 Mort	1 Mort
Le 12/10/2015	MATEMBO	-	2 Mort	2 Morts
Le 12/10/2015	TENAMBO OICHA	-	2 Mort	2 Morts
Le 18/10/2015	MAMIKI OICHA	2 Morts	1 Mort	3 Morts
Le 21/10/2015	KAMAKOMBU	4 Morts	-	4 Morts
Le 22/10/2015	MATOMBO OICHA	-	4 Morts	4 Morts
Le 30/10/2015	LINZO	3 Morts	2 Morts	5 Morts
Le 06/11/2015	VURUMBIKA	1 Mort	-	1 Mort

Le 09/11/2015	TENAMBO MBINZA	-	1 Mort	1 Mort
Le 11/11/2015	MUKOKO MBURORA	-	1 Mort	1 Mort
Le 12/11/2015	MUKOKO KISIKI 1ER	-	1 Mort	1 Mort
Le 23/11/2015	PK 36Km Route KAMANGO	-	3 Morts	3 Morts
Le 24/11/2015	MUKOKO	-	1 Mort	1 Mort
Le 29/11/2015	ERINGETI	6 Morts	2 Morts	8 Morts
Le 09/12/2015	KOKOLA	-	1 Mort	1 Mort
Le 10/12/2015	LINZO SISENE	-	1 Mort	1 Mort
Le 13/12/2015	KYAVISIKO OICHA	-	1 Mort	1 Mort
Le 21/12/2015	PK 25Km ROUTE KAMANGO	-	2 Morts	2 Morts
Le 24/12/2015	AVEMBA- NZUMA	4 Morts	2 Morts	6 Morts
TOTAL 288 MORTS				
L'AN 2016				
Du 28 au 29/02/2016	KUMBUKUMBU-KAKWAVYA-NTOMBI	21 Morts	-	21 Morts
Le 24/03/2016	PK 51 ROUTE KAMANGO	-	1 Mort	1 Mort et 3 Blessés
Le 26/03/2016	KAINAMA- KWELE	1 Mort	-	1 Mort et 1 Blessé
TOTAL 23 MORTS				

Annex 56: Attack on the town of Eringeti on 29 November 2015

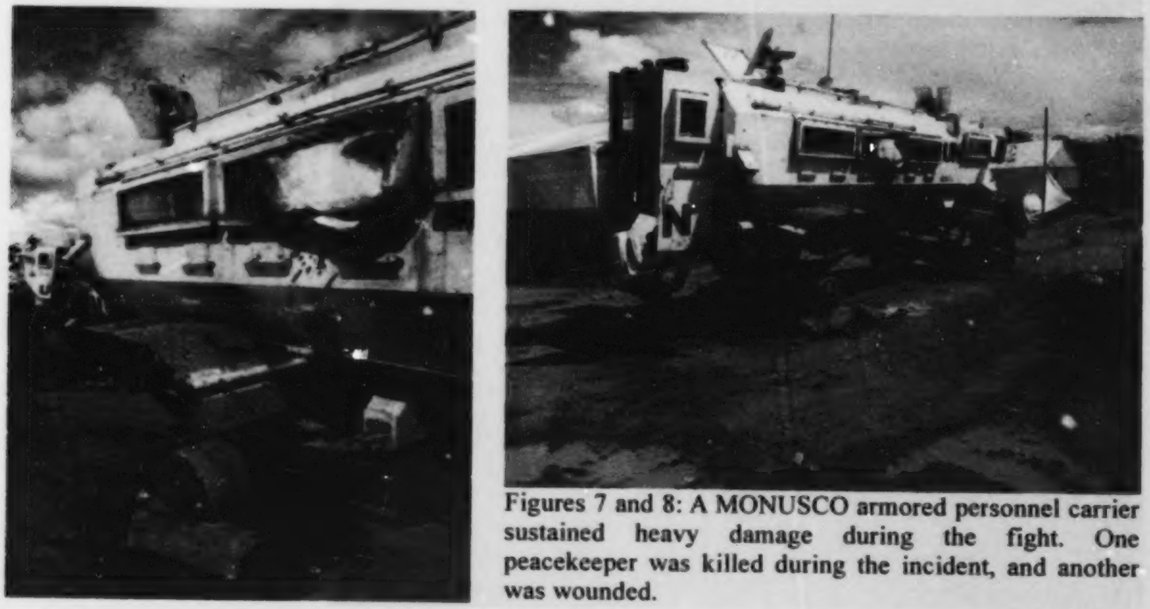


Figures 1 and 2: The assailants looted and burned the hospital pharmacy (all pictures by the Group).



Figures 3 and 4: Inside the hospital, the assailants killed patients and medical personnel.

Figures 5 and 6: Assailants also attacked and burned the police station.



Figures 7 and 8: A MONUSCO armored personnel carrier sustained heavy damage during the fight. One peacekeeper was killed during the incident, and another was wounded.

Annex 57: List of detainees from Beni and Butembo held in Kinshasa

Translation of the title: List of detainees arrested in Beni and Butembo Territories, who were never questioned by judicial authorities.

As confirmed by the military judicial authorities, none of the detainees were charged with a crime as of May 2016. Despite being in prison for more than a year, the cases against them had not moved forward. Additional detainees were being held in the prison in Beni for the same reasons and without being charged.

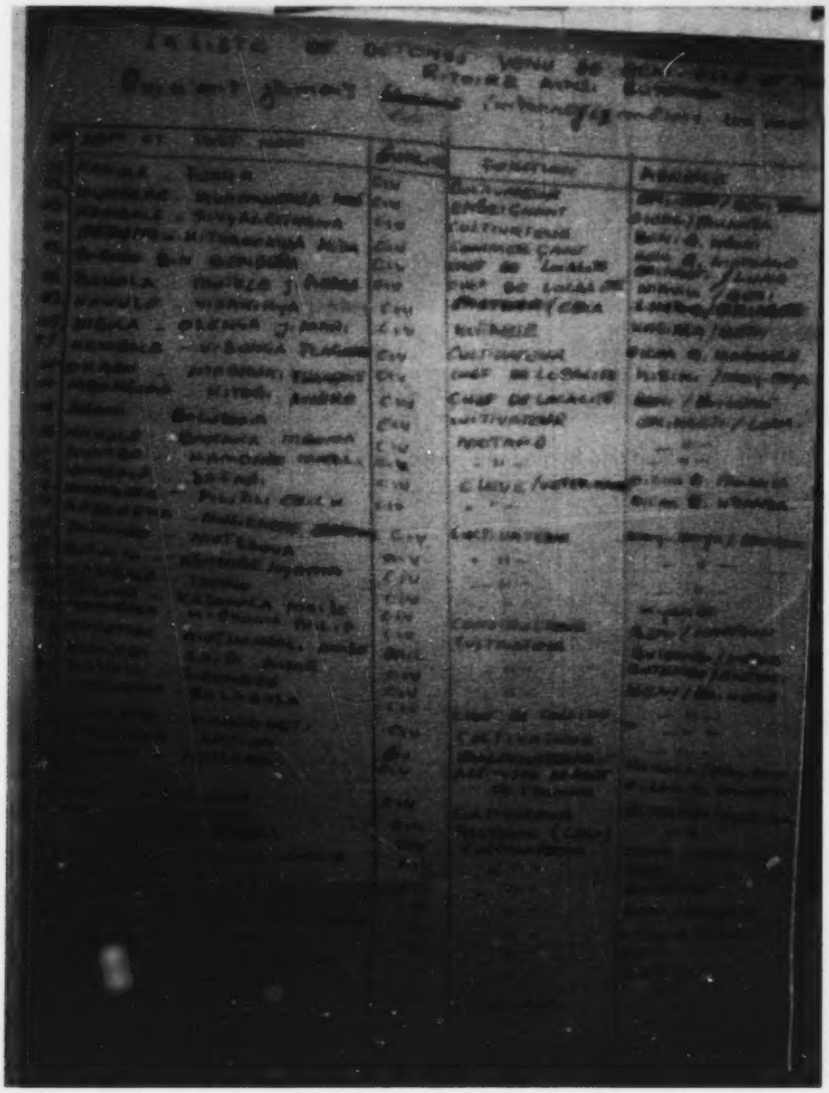


Figure 1: The list of detainees provided by a representative of the Government.

Annex 58: The burning of Buleusa on 29 November 2015

Photos by the Group (November 2015)

Annex 59: Speech by National MP Venant Tshipasa in Miriki on 12 February 2016

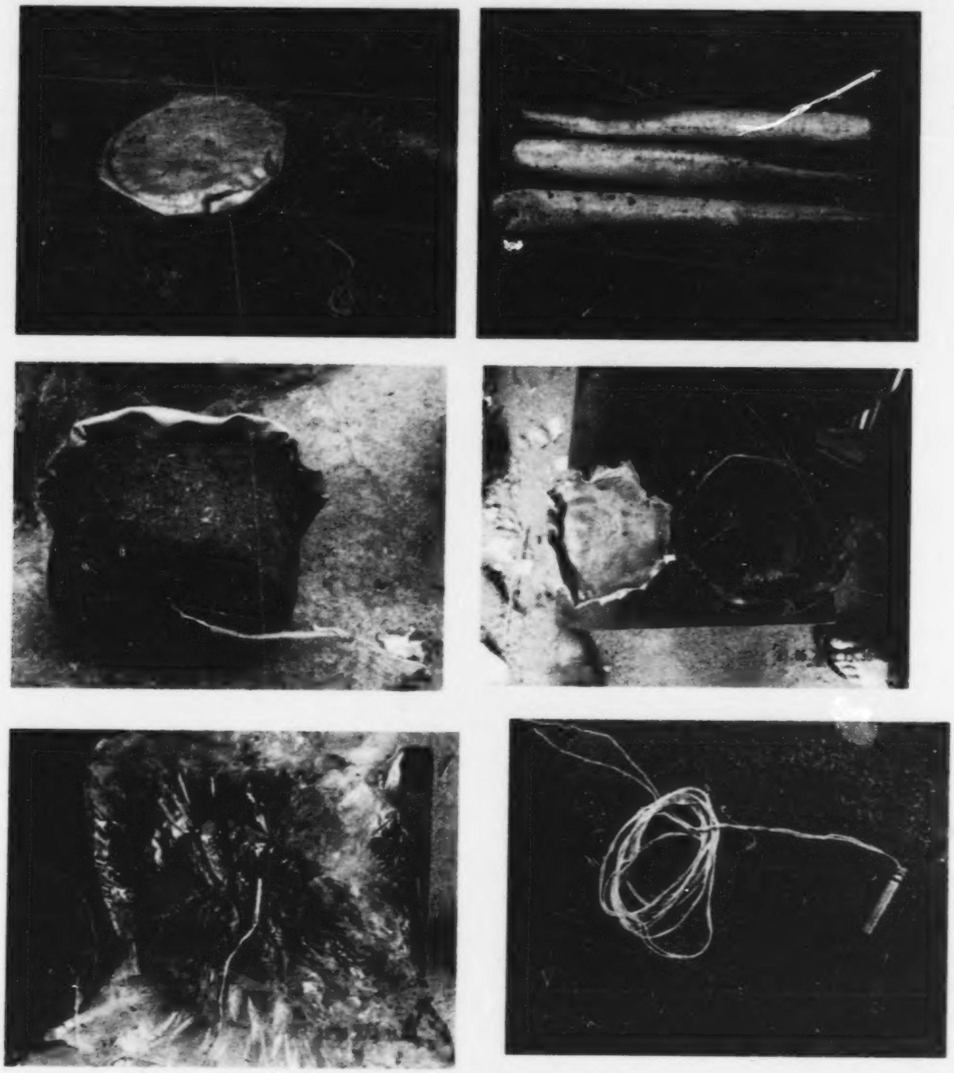
Speaker 1: « Nous sommes heureux de recevoir parmi nous l'honorable Tshipasa. Honorable, c'est vrai, nous sommes en difficulté. Nous ne pouvons rien exiger, c'est vrai. Tu n'es pas Dieu, mais nous espérons quand même que tu vas arranger certaines choses. Il y a 3 jours, la communauté Hutu ici a 28 km (…) s'était préparée en achetant des machettes pour exterminer les Nande et Hunde en passant par la localité BIRUNDULE. Nous, on ne sait pas s'il nous faut aussi dire à notre population de se préparer également. Excusez Honorable, mais nous autres, on n'a pas été crées pour tuer, on ne sait pas ce qu'il faut faire. Ceux qui sont tués sont Nande et Hunde. Nous te prions de pouvoir intervenir, merci ».

Speaker 2- Présentation des membres de la délégation.

Honorable Venant Tshipasa : « Je dis merci à vous tous de Kanyabayonga pour l'accueil (…) nous sommes venu aussi avec (…) mais elle est rentrée à Goma pour regagner Walikale. Quand nous avons appris qu'on a égorgé les gens à Miriki, (cela) a directement été déclaré à la radio Top Congo et la RTNC. Moi je me suis dit que je dois d'abord aller à Miriki, m'entretenir en premier lieu avec les populations de Kayna, Kanyabayonga, Kirumba, Kaseghe… Seulement après cela, je pourrai parler à la radio. Et je vous confirme qu'au bout de deux ou trois jours vous allez m'entendre à la radio (…). Nous avons vu où la première épouse du chef dormait et où elle a été tuée ainsi que la deuxième épouse et les enfants; nous sommes allés au domicile du deuxième chef et avons vu son sang sous son lit. Nous avons vu un bébé de huit mois dont la maman a été assassinée après que son sein a été tranché ; et comment les assaillants ont fait boire à ce bébé le sang de sa propre mère. Ce sont des choses que les peuples Nande, Hunde, Nyanga n'ont jamais vécues. Ce sont là les tribus auxquelles je suis habitué. Où avez-vous déjà vu un bébé de huit mois forcé à boire le sang de sa mère assassinée ? Ces choses qu'on a vues sont comme un cauchemar. Nous sommes ensuite allés voir là où on a enterré les 18 personnes. Après, nous avons parlé à la population de Miriki et nous avons donné à chacun l'occasion de s'exprimer pour mieux comprendre la situation. Ensuite nous sommes allés voir la MONUSCO à Miriki, puis les FARDC, et enfin les déplacés dans le camp. Chose étonnante, quand nous avons posé des questions aux délégués du camp, lorsque qu'on leur a demandé leur nom, et leur lieu d'origine, certains nous ont répondu : « Je suis Hutu de Bwisha » ou bien « Je viens de Masisi ». Les autres lisaient sur un papier avant de répondre : tout cela prouve qu'il s'agissait d'une fausse présentation (…). Quand tu arrives à Miriki tu entends qu'il y a deux ou trois communautés qui sont soudées : d'une part les Nande, les Kobo et les Nyanga et, d'autre part, les Hutus (…). Nous avons été tués et chassés de nos champs. On nous a accusés d'être des FDLR mais nous sommes pas FDLR (…). La chose que nous avons retenue auprès de la MONUSCO c'est quand elle a admis l'achat des machettes. Nous avons demandé : « Pourquoi la MONUSCO achète-t-elle des machettes ? ». Ils nous ont répondu : « A Kanyabayonga, une machette se vend à deux dollars alors qu'en Inde c'est dix dollars ». Mais nous, nous avons été en Inde et le prix de la machette y est inferieur qu'en Chine. Donc c'est faux de dire que le prix en Inde est supérieur ! On leur a cité certaines villes Indiennes et ils ont étaient confondus ! Ils nous ont ensuite dit qu'ils achètent ces machettes tous les six mois, lors de relèves de troupes. Nous leur avons expliqué que selon le mandat de la MONUSCO, le commerce n'est pas permis, que la mission de l'ONU, c'est la paix et pas le business. Ensuite, nous sommes allés parler à la population de Kirumba (…). C'est à Beni où l'on a commencé à tuer à la machette, et cela arrive maintenant à Miriki. On dit toujours qu'il s'agit des ADF et les gens ne cherchent plus à savoir si c'est réellement l'ADF. Il y a parmi nous ici des gens qui ont peur de le déclarer mais ils sont témoins de ces mouvements de gens qui quittent Bunyatenge la nuit, traversent Manguredjipa jusqu'à Beni et après avoir egorgé, ils rentrent. (Ce sont) des FDLR qui ont été rapatriés vers le Rwanda et rentrent ici pour s'installer dans des camps de déplacés en disant qu'ils viennent de Masisi ou de Rutshuru. Vous avez dit qu'ici il y a des Nandes, des Kobo, des Hunde. Vous êtes une même tribu. Vous devez vous considérer comme une même tribu. Si vous commencez à vous haïr entre vous, vous serez exterminés parce que nous avons un seul ennemi et c'est le Hutu. Le chef de groupement a posé une question (…). Il y a des choses dont on va discuter avec les notables, à huis clos, des choses qu'on ne peut pas dire ici devant vous. Nous allons vous accorder quelques questions mais avant cela, Maman MAPERA va aussi ajouter quelque chose ».

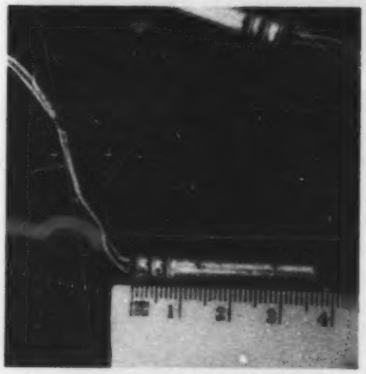
Annex 60: ADF improvised explosive devices

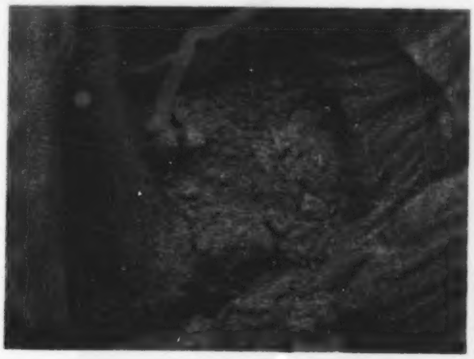
The FARDC recovered the following explosive devices and materials after an engagement with suspected ADF elements. The explosive gel taken from Explogel V6 cartridges was mixed together, put in a plastic bag and placed in a metal cooking pot. An electronic detonator was inserted, and the pot was filled with junk metal. The pot was then sealed with an aluminum lid.

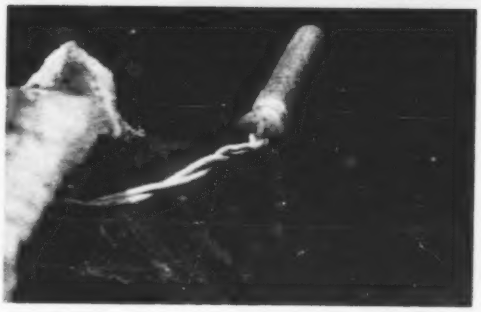


All photos by the Group (2015)

The IEDs below use the same type and model of detonator, but require a greater degree of sophistication in explosive handling and had not previously been documented in the eastern DRC. These have a much more effective kill radius than those made from Explogel V6.







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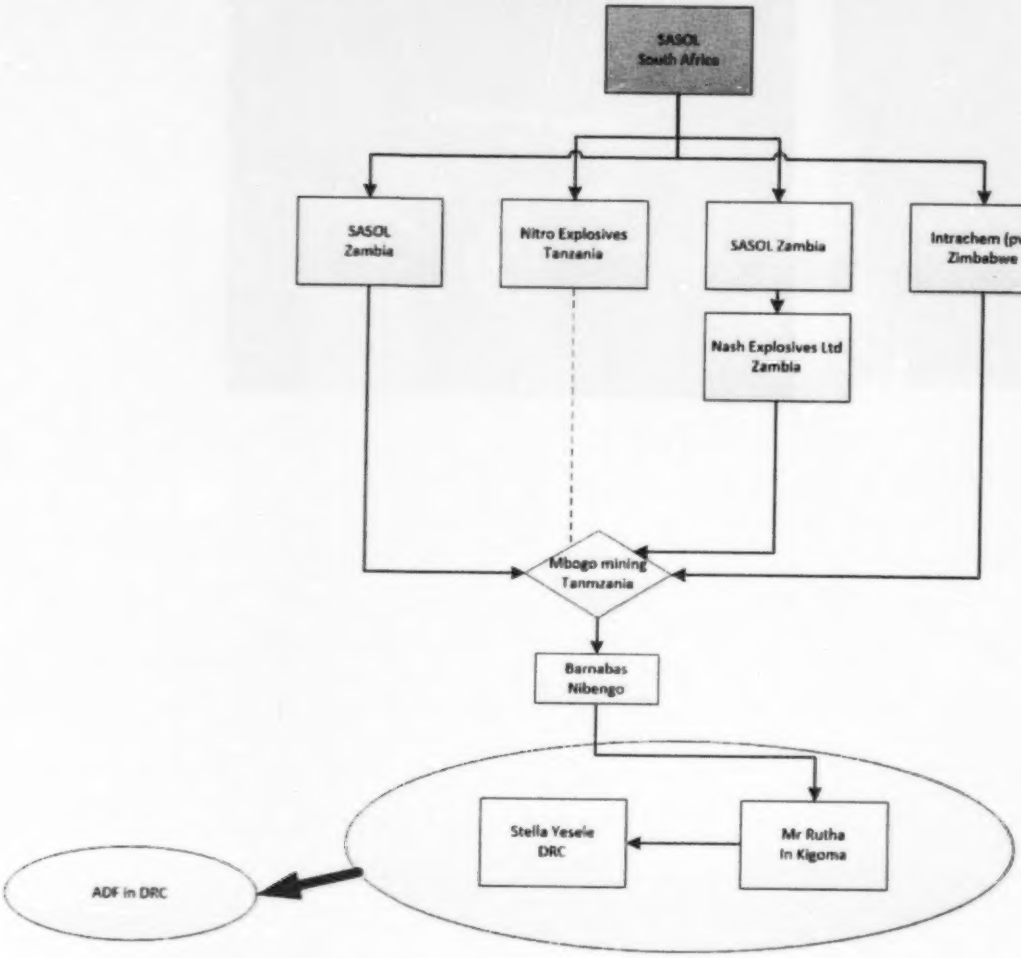
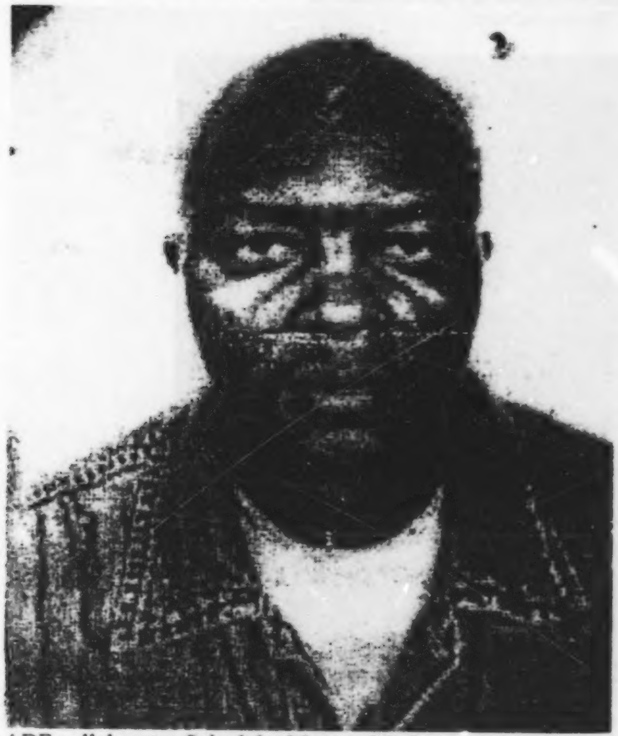
Annex 61: The route of Explogel V6 to the ADF in Beni Territory



Annex 62: Pictures of Jamil Mukulu and Sebaduka Matovu Mark

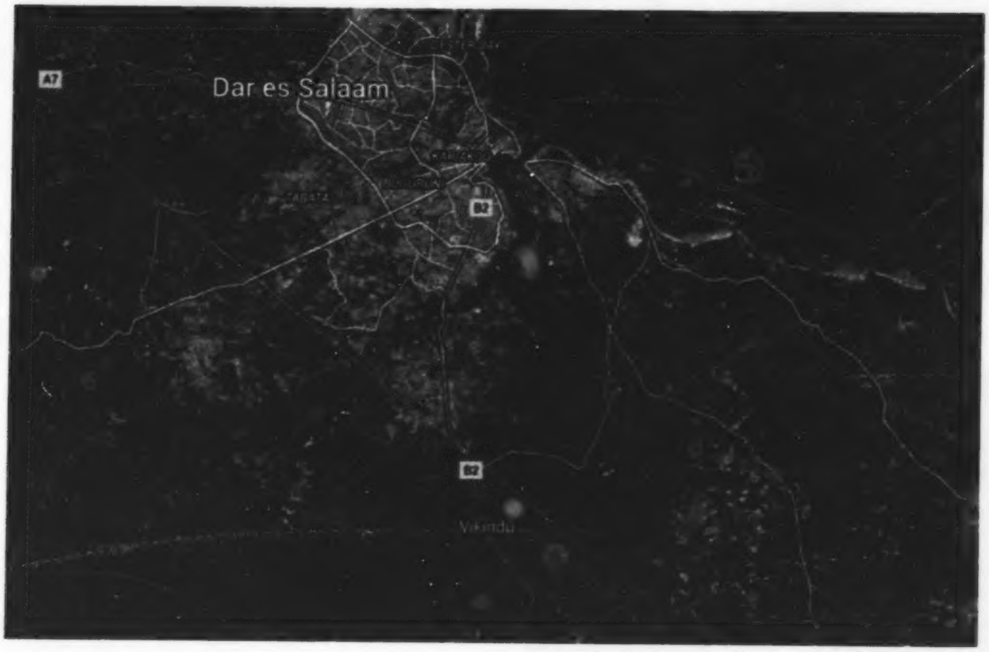
[redacted]

ADF leader Jamil Mukulu (all pictures from confidential sources).



ADF collaborator Sebaduka Matovu Mark

Three of Jamil Mukulu's houses in Vikundi (south of Dar es Salaam)



Annex 63: Diversion of materiel from FARDC stocks

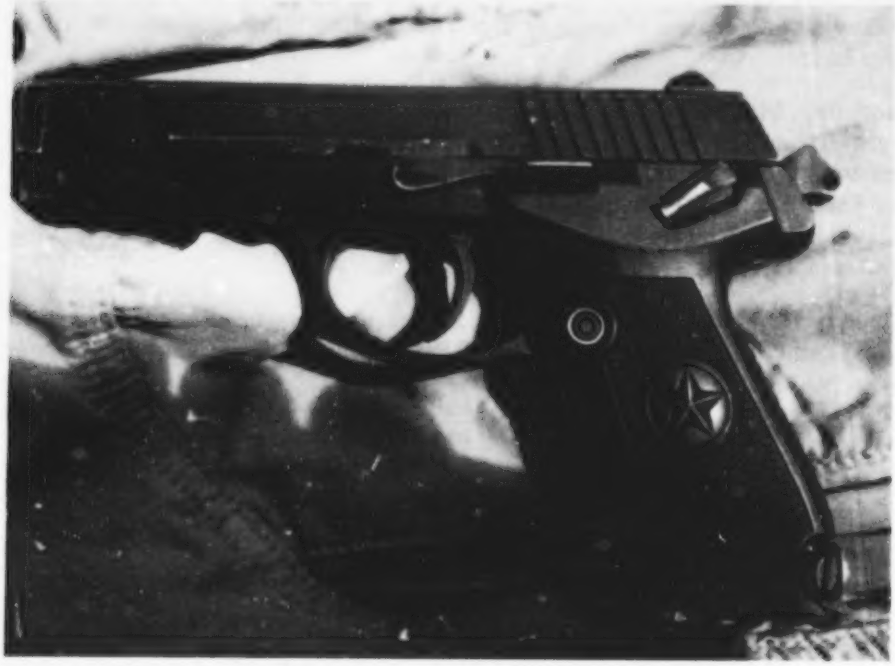
The Group interviewed four FARDC elements from four cases currently in process at the military court where they stood accused of stealing arms, ammunition, and uniforms from the Goma military logistics base

- Lieutenant Kinwandemba Mokonzi Felix: stationed at the FARDC land forces logistics base at the Goma airport; arrested on 15 September 2015 when four SALW were discovered at his house, together with 7.62 mm ammunition. He was accused of having already sold 10 other Kalashnikov-pattern rifles and ammunition to "Colonel Danny" of FDLR RUD in Kiseguru in Rutshuru Territory. Two civilians were arrested in the same case for having helped transport the weapons to Kiseguru.

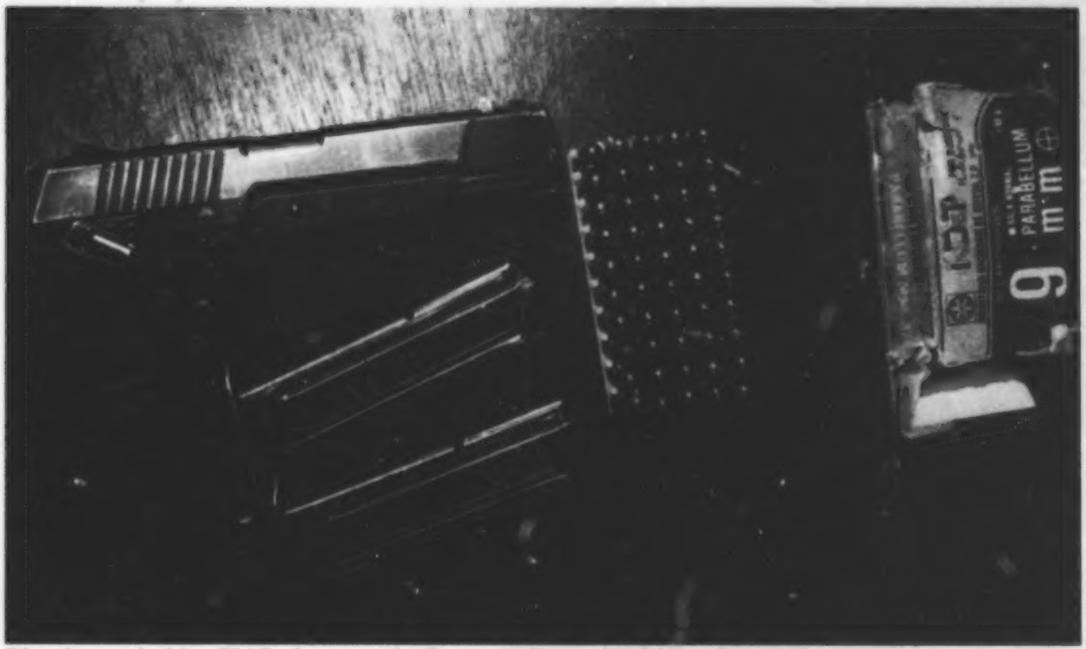
- First Sergeant Egbengu Henri: stationed at the Air Forces logistics base at the airport in Goma; arrested on 31 January 2015 for stealing two RPG-7 rocket launchers, two RPG heat and two magazines to sell to a contact in Bukavu.

- Two additional FARDC officers previously working at the logistics base in Goma are under investigation since 15 December 2015 for the theft of 54 military uniforms.

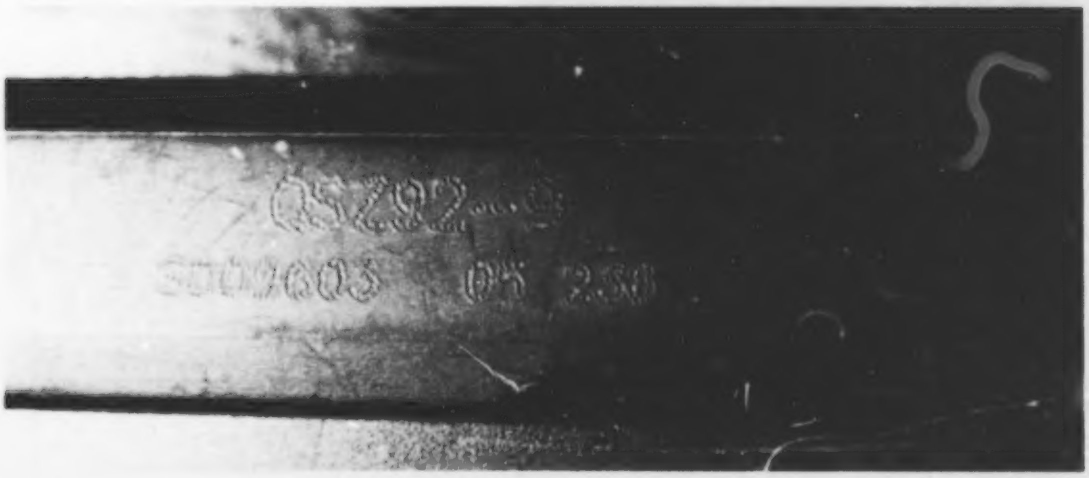
Annex 64: Pistols with characteristics similar to those manufactured in the Democratic People's Republic of Korea



Pistol carried by an FARDC officer in the DRC / Photo by the Group (May 2015)



Pistols carried by PNC elements in Bangui, Central African Republic



Photos provided to the Group by MINUSCA (September 2015)

Annex 65: SALW marking according to the Nairobi Protocol

Photos provided to the Group by FARDC (2016)

Under article 7 of the Nairobi Protocol, states are required to:

1. Mark all SALW upon manufacture with a unique marking, which includes the name of the manufacturer, country or place of manufacture, and the serial number;
2. Mark all SALW upon import indicating the country and year of import, and a serial number if the weapon does not already possess one;
3. Ensure that all state-owned firearms are marked; and
4. Ensure that a database of information in relation to firearms is maintained for no less than ten years for tracing purposes.

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Markings on firearms must be stamped or etched on the barrel, the frame, and where applicable, the slide.